

1940

Constitution
of the
International
Brotherhood of Teamsters
Chauffeurs, Warehousemen
and Helpers
of America



Affiliated with the American Federation of Labor
Adopted at the Convention held in Washington, D. C.
September 9th to 14th, inclusive, 1940

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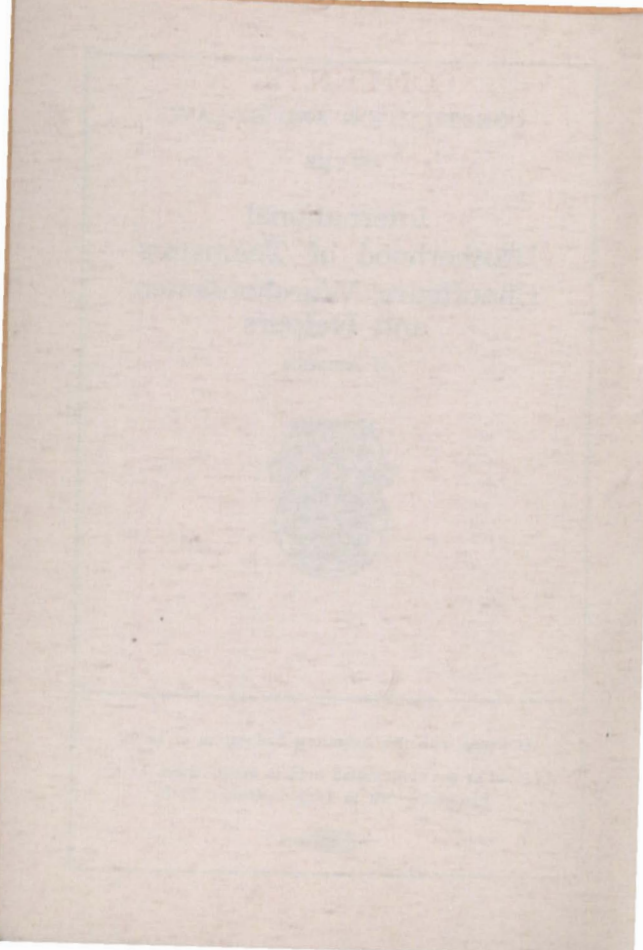




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CONTENTS

(For subject index see page 73)

	Page
ARTICLE I. NAME AND OBJECTS OF INTERNATIONAL	
Sec. 1. Name	3
Sec. 2. Objects	3
ARTICLE II. JURISDICTION, MEMBERSHIP, AND ELIGIBILITY TO OFFICE	
Sec. 1. Jurisdiction defined	4
Sec. 2. Membership	
(a) Eligibility in general.....	4
(b) Eligibility of owners.....	5
(c) When owners may be rejected.....	5
(d) "Venders" and "owner-equipment drivers" defined	5
(e) Contracts of owner-equipment drivers subject to approval.....	6
(f) When owners of more than one vehicle eligible to membership.....	6
(g) When owners and venders ineligible to hold office or vote.....	6
Sec. 3. Subversive elements barred from membership	
(a) Communists and others ineligible to membership; expulsion mandatory.....	7
(b) Right of appeal from order of expulsion	7
(c) Powers of General President and General Executive Board to act upon failure of local union to act.....	7
Sec. 4. Eligibility to office in local or International	8
ARTICLE III. CONVENTIONS AND REPRESENTATION	
Sec. 1. Conventions; when and where held; call..	8
Sec. 2. Basis of representation; no voting by proxy permitted	9
Sec. 3. Requisites for representation	
(a) Affiliation of local—length of time.....	9
(b) Payment of per capita tax, etc.—necessary to qualify for representation.....	9
(c) Same conditions applicable to independent organizations	9

IV

	Page
Sec. 4. Expenses of delegates—each local to pay same	10
Sec. 5. Election of delegates and alternates.....	10
Sec. 6. Credentials	
(a) Preparation and filing of.....	10
(b) Time for filing of.....	11
Sec. 7. Committee on Credentials	
(a) Appointment of members; time and place of meeting.....	11
(b) Compensation of committee members...	11
Sec. 8. Amendments to constitution; resolutions	
(a) Presentation of amendments and resolutions	11
(b) Two-thirds vote necessary to amend Constitution	12
Sec. 9. Quorum—majority necessary to constitute	12
 ARTICLE IV. OFFICERS, DELEGATES AND ELECTIONS	
Sec. 1. International officers	
(a) Who are International officers.....	12
(b) Vice-Presidents—order of designation..	12
(c) Geographical distribution of officers....	12
Sec. 2. Election of International officers and delegates	13
Sec. 3. Delegates to conventions of American Federation of Labor	
(a) Election of; reports.....	13
(b) Expenses; General President and General Secretary-Treasurer act as delegates by virtue of their office.....	14
(c) Unit rule binding on delegation.....	14
 ARTICLE V. OFFICERS, SALARIES AND EXPENSES	
Sec. 1. General	
(a) Salaries of General President and General Secretary-Treasurer	14
(b) Retention of services in advisory capacity if incapacitated by health.....	14
(c) Salaries of Vice-Presidents and Trustees.	14
(d) Salary and expenses of Assistant to General President	15
(e) Salaries of organizers.....	15

(f) Expenses of officers and organizers.....	15
(g) Salaries and expenses of special organizers	15
(h) Salaries determined by convention.....	15
Sec. 2. Right of General President to travel, take periodic rests for conservation of health; with compensation and expenses provided	15

ARTICLE VI. GENERAL PRESIDENT—DUTIES AND POWERS

Sec. 1. General duties

(a) Preside over conventions; shall fill vacancies among general officers subject to approval of General Executive Board.	16
(b) General supervision over affairs of International	16
(c) Entire time to be devoted to International except as qualified in Article V, Sec. 2 and Article VI, Sec. 1 (d).....	17
(d) May accept call to service by President of United States.....	17
(e) Appointment of Assistant to General President	17
(f) Power to appoint other assistants to carry on work.....	17

Sec. 2. Judicial powers

(a) Shall decide all points of law and grievances	17
(b) Penalties for refusal to obey decisions and orders of General President.....	17

Sec. 3. Arbitration; procedure; General President empowered to submit question of arbitration to General Executive Board when satisfied that local is not justified in rejecting arbitration.....

18

Sec. 4. Supervision over strikes and lockouts...

18

Sec. 5. Assist and advise local unions; approve by-laws

19

Sec. 6. Trustees appointed to take charge of local

(a) Power of General President to appoint trustees for local union.....	19
(b) Powers and duties of trustees.....	19
(c) Suspended officers shall turn over moneys, books, property to trustee.....	19

VI

	Page
(d) Qualifications of temporary officers and trustees; bond required.....	19
(e) Functions and procedure during trusteeship	20
Sec. 7. May remove International organizers....	20
Sec. 8. Countersign checks; approve bills.....	20
Sec. 9. Shall order audit of books.....	21
Sec. 10. Official Journal	
(a) Published under supervision of General President	21
(b) Mailing list	21
Sec. 11. Vacancy in office of General President...	21
ARTICLE VII. GENERAL SECRETARY-TREASURER—DUTIES AND POWERS	
Sec. 1. General duties; shall be custodian of all property of International.....	22
Sec. 2. Compensation; bond	22
Sec. 3. Shall sign, issue and deliver charters....	22
Sec. 4. Shall publish financial statement; furnish roster to local unions.....	23
Sec. 5. Shall determine representation for convention and issue credentials.....	24
Sec. 6. Deposit and withdrawal of funds in bank and maintain financial accounts between locals and International.....	24
Sec. 7. Shall notify locals when in arrears.....	25
Sec. 8. Seals; stamps; supplies	
(a) Shall furnish same to local unions.....	25
(b) Locals prohibited from duplicating stamps, buttons and paraphernalia....	25
Sec. 9. Shall issue password.....	25
Sec. 10. Shall perform other duties as required by Constitution	26
ARTICLE VIII. TRUSTEES—DUTIES	
Sec. 1. Shall audit books.....	26
Sec. 2. Fiscal year	26
ARTICLE IX. GENERAL EXECUTIVE BOARD—DUTIES AND POWERS	
Sec. 1. General duties and powers.....	26
Sec. 2. Revocation and suspension of charters	
(a) When obliged to approve revocation of charters	27

VII

	Page
(b) Loss of privileges of local upon suspension of charter.....	27
Sec. 3. Power to debar member of old local from membership in new.....	27
Sec. 4. Shall try members assaulting general officer or organizer.....	27
Sec. 5. Meetings of General Executive Board; when and how called.....	28
Sec. 6. May act officially by mail, telephone or telegraph when not in formal session.....	28
Sec. 7. May call special conventions.....	29
Sec. 8. Shall approve employment of clerical help for General President and General Secretary-Treasurer	29
ARTICLE X. INITIATION FEES, PER CAPITA TAX, ETC.; BOOK AUDITS OF LOCALS	
Sec. 1. Revenue: sources from which revenue is derived; organization fee \$15; sale of supplies; monthly due stamp (per capita) 30 cents; initiation stamps of \$1 per stamp when fee or equivalent is \$25 or less. (See Sec. 4 of this Article for revenue when initiation fee or equivalent exceeds \$25)..	29
Sec. 2. Assessment for emergencies.....	30
Sec. 3. Transfer from defense fund to general fund; how and when defense funds may be transferred to general fund.....	30
Sec. 4. (a) Payment of initiation fees, reinstatement fees and per capita tax.....	30
(b) Per capita tax—30 cents per month....	31
(c) Reinstatement fees taxed as monthly dues	31
Sec. 5. Per capita tax; preferred payment.....	31
Sec. 6. Payment of dues and fees and receipt therefor	31
(a) Stamps shall be issued; how cancelled..	31
(b) Penalty for refusing to stamp due book or for refusal to turn in due book.....	32
(c) Time in which dues must be paid.....	32
(d) Dues may be paid quarterly when approved by General President.....	32
(e) No other system of receipting permitted	32

VIII

	Page
Sec. 7. Orders for stamps and supplies; how ordered and how paid for.....	32
Sec. 8. Reports to be furnished by local secretary-treasurer	
(a) Reports on membership.....	32
(b) Reports on transfer and withdrawal cards; penalty for failure to comply...	33
(c) Penalty for failure to furnish reports..	33
Sec. 9. Surety bond for local secretary-treasurer and business representative	
(a) Must procure bond approved by General Executive Board	33
(b) Penalty for failure to procure.....	33
Sec. 10. Filing of monthly audits by trustees of local unions	34
Sec. 11. Deposit of money of local unions.....	34
Sec. 12. Audit of books of local union by International	
(a) Power to audit.....	34
(b) Duties of local officers to permit audit..	34
(c) Penalty for refusal to permit audit.....	35
(d) Penalty for refusal by member to show due card	35
(e) Powers of auditor; reports to General President and General Secretary-Treasurer	35
(f) Books of local to be audited between conventions	35
Sec. 13. Arrearage in per capita tax must be paid immediately	35
Sec. 14. Penalty for arrearage in per capita tax..	36
Sec. 15. Funds, books and property upon revocation of charter or dissolution of local must be turned over to General President.....	36
Sec. 16. Reorganization—expenses incurred in recovering property and funds are chargeable to funds or property recovered.....	36
ARTICLE XI. FINANCE COMMITTEE—DUTIES	
Sec. 1. General	
(a) Members of; powers, duties and limitations in the investment of funds of International	37

IX

	Page
(b) International to keep on hand \$500,000.	38
(c) Members to furnish bond upon request of General Executive Board.....	38

ARTICLE XII. STRIKES, LOCKOUTS, WAGE SCALES

Sec. 1. Strike action by local union	
(a) Appointment of committee; report of local	38
(b) Secret ballot on strike.....	38
(c) Notice to Joint Council of strike, lock-out, boycott, lawsuit or other difficulty..	38
Sec. 2. Defense fund: to be used to sustain strikes, lockouts, defending principles of unionism, etc.	39
Sec. 3. Payment of benefits	
(a) Not to be made if funds insufficient....	39
(b) Power to pay out entire International treasury in support of strike.....	39
Sec. 4. Consent of General Executive Board to strike necessary for payment of benefits.	39
Sec. 5. Strike benefits: amount, period of time, conditions of payment.....	40
Sec. 6. Requirements for payment of strike benefits	
(a) Local union in good standing six months to be eligible.....	40
(b) Failure to pay per capita tax or to enroll membership at International office renders local ineligible to benefits.....	40
(c) Loss of benefits for arrearages.....	40
(d) Members must report daily; basis of computation; duty to accept employment with fair employer.....	41
Sec. 7. Payrolls, reports	
(a) Duty of General Secretary-Treasurer to forward benefits; furnish payroll sheets for payment of benefits.....	41
(b) Local secretary-treasurer to forward original payroll sheet to headquarters...	41
(c) Failure to forward payroll sheets cause for discontinuance of benefits.....	41
(d) Weekly reports by strike committee or deputy to be made to General Secretary-Treasurer	42

X

	Page
Sec. 8. Power of International to declare strike or lockout terminated.....	42
Sec. 9. Return unused strike funds to General Secretary-Treasurer	42
Sec. 10. Lockout: what constitutes.....	42
Sec. 11. Wage scales and approval thereof	
(a) Submission of wage scales to Joint Council and General President for approval..	43
(b) Copies of final agreements to be filed with General President.....	43
(c) No liability assumed by International for approval of wage scales and agreements	43
(d) General Executive Board on request of General President may approve wage scale; local must endeavor to settle by negotiation or arbitration.....	44
ARTICLE XIII. ASSISTANCE TO LOCAL UNIONS	
Sec. 1. General assistance to local unions—local shall not receive assistance when secretary-treasurer not bonded.....	44
Sec. 2. Approval of General Executive Board necessary to obtain assistance from sister locals	44
ARTICLE XIV. CHARTER MEMBERS, DUES, MEETINGS OF LOCALS	
Sec. 1. Charter members	
(a) Who are charter members.....	45
(b) Free copy of Constitution and due card furnished by International.....	45
(c) Holding open of charters.....	45
Sec. 2. Dues and meetings of locals	
(a) Membership dues, amount of.....	45
(b) Meetings must be held unless otherwise ordered by General Executive Board...	45
(c) Loss of strike benefits for failure to hold meetings	46
(d) Loss of financial benefits and other penalties for failure to hold meetings.....	46
ARTICLE XV. JOINT COUNCILS	
Sec. 1. Formation of Joint Councils	
(a) When, where and how formed.....	46

XI

Page

(b) General Executive Board to decide other method of formation for smaller localities; and to decide disputes over jurisdiction	46
Sec. 2. Representation	
(a) Number of delegates for each local....	47
(b) Who shall be delegates.....	47
Sec. 3. Dues—how determined	47
Sec. 4. Judicial powers	
(a) Extent of jurisdiction and how exercised	47
(b) Power to try members for violation of obligation	47
Sec. 5. By-laws for Joint Council; approval by General President required.....	48
Sec. 6. Affiliation of local unions mandatory....	48

ARTICLE XVI. CHARTERED MISCELLANEOUS LOCALS

Sec. 1. When mixed locals may be formed	
(a) Only one local of any craft shall be chartered unless General Executive Board orders otherwise	48
(b) Procedure for issuance of a separate charter to a separate craft or division in a mixed local.....	48

ARTICLE XVII. TRANSFER AND WITHDRAWAL CARDS

Sec. 1. Duty of local to accept transfer card.....	49
Sec. 2. Transfer card	50
Sec. 3. Deposit of transfer card	
(a) Compulsory for member to procure transfer card and deposit same.....	51
(b) Member must sign transfer card in presence of secretaries of locals from which and to which he transfers.....	51
Sec. 4. Honorable withdrawal card	
(a) Withdrawal clause as set forth in card.	52
(b) Readmission clause as set forth in card.	52
(c) Conditions for compulsory issuance of card as set forth in card.....	52
(d) Conditions for deposit of withdrawal card for return to membership as set forth in card.....	52

XII

	Page
(e) Conditions for rejection of withdrawal card as set forth in card.....	52
Sec. 5. Granting of withdrawal card is within jurisdiction of locals.....	53

ARTICLE XVIII. TRIALS AND APPEALS

Sec. 1. Trials of local officers and members: procedure	
(a) Who shall conduct trial.....	53
(b) Procedure for filing charges; notices; conduct of hearing.....	53
(c) Disciplinary action by way of judgment when charges are sustained, and dismissal when not sustained.....	54
(d) Power of General President to suspend member or officer pending decision in case	54
Sec. 2. Appeals of local officers and members	
(a) To whom appeals are taken; time for taking appeals	54
(b) Service of notice of appeal; procedure on appeal; decision binding pending appeal	55
(c) Substitute shall be appointed when interested party is member of trial body..	55
(d) Failure to appear shall constitute waiver of defense and trial shall proceed.....	56
(e) Any party to a case entitled to same right of appeal as accused.....	56
Sec. 3. Trials and appeals of local unions, Joint Councils, general officers, and general organizers	
(a) Procedure for filing of charges and giving notice when local unions or Joint Councils are accused.....	56
(b) Time of trial.....	56
(c) Procedure on appeals of local unions and Joint Councils	57
(d) Procedure for trial of general officers and general organizers; appeals by general officers and general organizers.....	57
(e) General President may exercise emergency powers provided for in Sec. 9 of this Article	57

XIII

Page

Sec. 4. Original jurisdiction of General Executive Board to try offenses against International union	
(a) Jurisdiction	57
(b) Filing of charges.....	57
(c) Appeals; payment of expenses if accused is individual and is found not guilty....	58
(d) Presentation of case may be in writing if accused unable to be present; decision binding pending appeal.....	58
Sec. 5. Grounds for charges against members, locals, Joint Councils and officers	
(a) General charges specifically listed.....	58
(b) Violation of duties, obligations and fealty of a member of a trade union shall be grounds for charges.....	59
Sec. 6. Acts and conduct detrimental to the interests of workers on strike or lockout shall be grounds for charges.....	59
Sec. 7. Wrongful retention of money, books, papers, property of International, etc., shall be grounds for charges.....	60
Sec. 8. Decisions and penalties	
(a) Penalties; how imposed and to whom paid	60
(b) When paid to International.....	61
(c) Rights restored when penalty is a fine and same is deposited pending appeal...	61
(d) Penalty for non compliance with decision	61
(e) No jurisdiction in local or Joint Council to re-try an offense tried by General Executive Board	61
Sec. 9. Emergency power in General President to conduct a trial when welfare of organization requires it	
(a) General President empowered to assume original jurisdiction to try cases against members, officers, local unions or Joint Councils when situation is imminently dangerous to welfare of International or its affiliates	62
(b) Representatives of General President may conduct trial but decision must be rendered by General President.....	62
Sec. 10. Penalties imposed when charges not preferred in good faith.....	63

XIV

	Page
Sec. 11. Refusal of local to try member vests jurisdiction in Joint Council or General Executive Board to conduct trial.....	63
Sec. 12. Revocation of membership on being found guilty of crime.....	64
(a) Members guilty of crime or serious wrongdoing which brings dishonor upon local or International shall be subject to trial and revocation of membership. Members guilty of racketeering shall be subject to revocation of membership...	64
(b) Secretary-Treasurer of local shall not accept dues from persons so removed from membership but shall notify unions of such action and cause therefor.....	64
(c) General President is empowered to proceed to revoke membership of person guilty of crime or racketeering when local union fails to act properly.....	64
Sec. 13. Exhaustion of remedies; all remedies within International must be exhausted before resorting to courts or other tribunals	65
ARTICLE XIX. DISSOLUTION	
Procedure necessary for dissolution of local or International	65
ARTICLE XX. LABOR DAY	
Local unions shall make rules for observance of Labor Day	65
ARTICLE XXI. INSTRUCTIONS TO LOCAL UNIONS FOR DRAFTING BY-LAWS, ETC.	
Sec. 1. (a) Power of local to draft by-laws.....	66
(b) Who are officers of local unions; officers constitute executive board.....	66
(c) Term of office of officers of local unions not to exceed period for which International officers are elected.....	66
(d) Appointment of Conductor and Warden; officers to serve full term unless removed for cause	66

XV

Page

(e) When nomination of officers shall take place	66
(f) Election of business representatives; removal for cause or insufficiency of funds	67
(g) Method, manner and time of electing trustees	67

ARTICLE XXII. INSTRUCTIONS TO LOCAL SECRETARY-TREASURERS

Sec. 1. (a) Procure bond	67
(b) Deposit of funds.....	67
(c) Payment of bills; countersigning of checks	67
(d) Duty to balance books.....	67
(e) Bookkeeping system prescribed.....	68
(f) Vouchers for payment of bills.....	68
(g) Applications of new members.....	68
(h) Part-paid applications to be properly filed	68
(i) Receipted bills to be filed.....	68
(j) Cancelled checks to be returned to stub.	68
(k) Reports to be made to General Secretary-Treasurer	68
(l) Payment of per capita tax.....	69
(m) Reports on membership.....	69
(n) Quarterly revision of membership lists.	69
(o) Member not to be carried on books and exempted from payment of dues.....	69
(p) Audit of books by trustees.....	69
(q) Forwarding copy of audit to General Secretary-Treasurer	69
(r) Duties upon retiring from office.....	69

ARTICLE XXIII. RULES OF ORDER FOR LOCAL UNIONS

Uniform parliamentary rules and procedure as set forth in this Article shall govern the conduct of meetings of local unions..... 70

PREAMBLE

As almost every improvement in the condition of the working people was accomplished by the efforts of organized labor, and as the welfare of the members of a craft can best be protected and advanced by their united action in one great labor organization, we have organized the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, and are chartered by the American Federation of Labor, and adopt the following constitution:

CONSTITUTION

of the

International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers

ARTICLE I

NAME

Section 1. This organization shall be known as the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers and shall consist of an unlimited number of Local Unions chartered by the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers.

OBJECTS

Sec. 2. To organize under one banner all workmen engaged in the craft, and to educate them to cooperate in every movement which tends to benefit the organization; to impress upon our membership, our employers, and the public that it is to the advantage of all concerned that workers be organized; the organization of our craft requires honest and intelligent membership, adapted to the business; we teach our membership the advantage, benefits and importance of their industrial position, and we endeavor to build up and perfect a labor organi-

zation in conformity with the highest standards of our American and Canadian citizenship; we seek to improve the industry by increasing the efficiency of the service and by instilling confidence, good will and understanding between our membership and their employers, which will have the effect of preventing unnecessary conflicts or serious misunderstandings between the membership and their employers, and which will further encourage cooperation and fair dealing with all employers so as to secure for our membership reasonable hours, fair wages and improved working conditions.

ARTICLE II

JURISDICTION, MEMBERSHIP, AND ELIGIBILITY TO OFFICE

JURISDICTION

Section 1. This organization has jurisdiction over all teamsters, chauffeurs and helpers, stablemen; all who are employed on horses, harness, carriages or automobiles in and around stables or garages (other than mechanics); gasoline station attendants (other than mechanics); warehousemen; all classes of dairy employees, inside and outside; workers employed in ice cream plants; all other workers employed in the manufacture and distribution of milk and dairy products; all truck terminal employees.

MEMBERSHIP

Sec. 2. (a). Any person 18 years or over, of good moral character, employed in the craft or

the various employments over which this International has jurisdiction, shall be eligible to membership in this organization. Provided, that hereafter no person shall be eligible for membership in this organization who has not declared his intention to become a citizen of the United States, if a resident of the United States, or of Canada, if a resident of Canada, or who, having declared such intention, has permitted same to lapse.

(b). Persons who own and operate a team or vehicle may be eligible for membership in this International Union.

(c). If, however, any local union can prove to the satisfaction of the General President or the General Executive Board that the admission of such individuals would be detrimental to the welfare of the local union, it may present such facts to the General President or the General Executive Board for authority to refuse to accept such persons as members. The General President shall consider all the facts and circumstances submitted by the local and render a decision in the matter, which shall be binding on such local.

(d). The foregoing provision shall apply with equal force to so-called "venders" and "owner-equipment drivers." A "vender" is a person who purchases products and sells the same on his own behalf. An "owner-equipment driver" is a person who, in connection with his employment, uses equipment sold or leased to him by his employer or equipment which he has purchased independently but which he uses in whole or in part in the service of his employer.

When such persons apply for membership in the International, the local and the International shall have the right and authority as a condition precedent to membership to approve or disapprove of any contract pertaining to such form or similar form of employment.

(e). All contracts hereafter renewed or entered into, pertaining to such form or similar form of employment, shall likewise be subject to such approval or disapproval of the local and International. If, in the judgment of the local or International, such employment contract will constitute a reduction in the union wage scale then prevailing for such service without "owner equipment," the same shall not be approved by the local and such persons shall be ineligible to membership or, if a member, shall cease to work under such conditions or be subject to suspension or expulsion by the local or International.

(f). The General President, when he deems it advisable for the best interests of the International Union, and upon the recommendation of the local union, may allow a person to own more than one team or vehicle and hold membership, provided he hires and employs none but members of the International Union and that he drives a vehicle himself and conforms to the prevailing rate of wages, hours and working conditions of the local union in the locality.

(g). No individual owner or vender as hereinbefore defined shall be eligible for office in any local, or to vote on any wage and hour scale, unless the local is composed entirely of individual owners or venders.

SUBVERSIVE ELEMENTS BARRED FROM MEMBERSHIP

Sec. 3. (a). No member of the Communist Party, nor any person who subscribes to its doctrines, shall be allowed to hold membership or be admitted to membership in any local union of the international organization. If by false statements such individual has obtained membership he shall be expelled. It is not necessary that the individual charged with membership in the Communist Party admit his membership in said party. If the local executive board, by majority vote, is satisfied by the evidence presented that the individual is a member of the Communist Party or any branch of the Communist Party, or subscribes to its doctrines, the local executive board shall expel such individual after he has obtained a proper trial, in accordance with our laws.

(b). The action of the local executive board is final and binding, with the understanding that either party has the right to appeal in accordance with this Constitution and subject to the following provision.

(c). If, in the opinion of the General President, the above section has not been complied with in principle and intent by the local union or its executive officers, he or someone appointed by him or acting for him, shall be empowered to reopen and review the case and, if he deems it advisable, he or his representative shall be empowered to transfer the case to the General Executive Board. If the General Executive Board returns a decision of guilty, the decision

shall be carried out immediately, but the party found guilty shall have the right to appeal, and such appeal must be taken to the next convention of the International Union.

ELIGIBILITY TO OFFICE

Sec. 4. To be eligible for election to any office of a local union or the International Union a member must be in continuous good standing for a period of two years prior to nomination for said office. This does not apply to newly organized local unions except as follows: In local unions organized for less than two years an individual must be a member and in continuous good standing for at least half of the period of time since the local union was chartered by the International Union. To be eligible to hold office in a local union a member must be a citizen of the country in which his local union is located. Officers under this section shall also include members of local executive boards, business representatives of local unions, delegates to central bodies, and delegates to all conventions of labor.

ARTICLE III

CONVENTIONS AND REPRESENTATION

CONVENTIONS

Section 1. The conventions of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers shall be held every five years on the second Monday in September, at such place as may have been designated by

the last preceding convention, and no city shall be entitled to two consecutive conventions, nor shall a convention be held in any city or town where there is no local union of the International Brotherhood. The International Secretary-Treasurer shall issue a call for the convention not less than two (2) months prior to the date of meeting.

BASIS OF REPRESENTATION

Sec. 2. Each local union having three hundred (300) members or less shall be entitled to one delegate, and one delegate for each additional three hundred (300) members or majority fraction thereof, but in no case shall a delegate have more than one vote. No proxy vote will be allowed.

REQUISITES FOR REPRESENTATION

Sec. 3. (a). No local union shall be entitled to representation in the convention that has not been chartered, affiliated and in good standing for 90 days prior to the opening of the convention, and each local union to be entitled to said representation must have paid into the international treasury three consecutive months' per capita tax. No member shall be elected as delegate if he is in arrears to his local union.

(b). All moneys due the International Brotherhood, whether by per capita tax or otherwise, must be received at least three days prior to the opening of the convention.

(c). This section applies also to local unions now affiliated with independent organizations.

EXPENSES OF DELEGATES

Sec. 4. Each local union shall pay the expenses of its delegates to the International convention.

ELECTION OF DELEGATES AND ALTERNATES

Sec. 5. All delegates to the International convention shall be elected at the first regular meeting in July preceding the convention, or as soon thereafter as possible. The local union shall, at the time of electing delegates, elect also an alternate to serve in case of disability of the regularly elected delegate. Each delegate or alternate must be an active member working at the craft. This, however, must not be construed so as to bar the election of salaried officers of local unions or officers of the International Union. All International officers and organizers who have worked continuously for one year or more shall be entitled to all the privileges of regularly credentialed delegates.

CREDENTIALS

Sec. 6. (a). The recording secretary of each local union shall, immediately after the election of delegates, forward their names to the General Secretary-Treasurer, who shall publish a list of delegates. Each delegate shall present his credentials, properly signed by the president and recording secretary, and the seal of the local union shall be impressed thereon. He shall also present his membership card, establishing that he is a member in good standing and entitled to a seat in the convention.

(b). All credentials must be in the General Office thirty (30) days prior to the opening of the convention.

COMMITTEE ON CREDENTIALS

Sec. 7. (a). The General President shall, on or before September 1, preceding each convention, appoint from the delegates-elect a committee of five, no two from any one state or province, to act as a committee on credentials. Said committee shall meet at the place of holding the convention three days prior to the opening of the convention. The General President and General Secretary-Treasurer shall be members of said committee. To this committee shall be referred all credentials. This committee shall have its report in writing ready for the convention when it opens.

(b). Said committee of five shall receive as compensation for the extra three days' service the same remuneration for services as is paid to the General Executive Board members and organizers, including regular hotel expenses.

AMENDMENTS TO CONSTITUTION; RESOLUTIONS

Sec. 8. (a). Prior to each convention, local unions, members in good standing, or the general officers shall have the right to send to the General President of the International Union proposed amendments or additions to the Constitution, or resolutions, which shall be submitted to the Committee on Constitution when it meets. This shall not deprive delegates to the convention of their right to propose amend-

ments or additions to the Constitution, or to submit resolutions during the sessions of the convention in accordance with rules governing the convention.

(b). Amendments to the Constitution shall be adopted by a two-thirds vote of the delegates present in convention assembled.

QUORUM

Sec. 9. A quorum shall consist of a majority of the delegates seated in the convention.

ARTICLE IV

OFFICERS, DELEGATES AND ELECTIONS

INTERNATIONAL OFFICERS

Section 1. (a). The officers of the International Brotherhood shall consist of a General President, General Secretary-Treasurer, nine Vice-Presidents, and three Trustees. The General President, nine Vice-Presidents and General Secretary-Treasurer shall constitute the General Executive Board.

(b). Vice-Presidents shall be known as first, second, third, etc., in accordance with the date of their election.

(c). Not more than two officers from any one city can be elected to hold a position entitling him to a seat on the General Executive Board. The officers of the International Union shall as near as practicable be uniformly distributed throughout the entire country.

ELECTION OF OFFICERS AND DELEGATES

Sec. 2. The election shall be in charge of a Committee on Rules appointed by the President of the convention, and all officers shall be installed on the last day of the convention and assume their official duties on December 1, following the adjournment of the convention. All nominations for International officers shall be made in open convention and elections shall be by roll call where there is more than one candidate for any office. It shall require a majority of all votes cast to constitute an election; at every unsuccessful ballot the candidate receiving the lowest number of votes shall be dropped until an election takes place. This shall not apply to Trustees or American Federation of Labor delegates, but in their election each delegate shall be entitled to vote for three candidates for Trustees and the number of American Federation of Labor delegates decided upon by the convention, and the candidates receiving the highest number of votes shall be declared elected.

DELEGATES TO CONVENTIONS OF AMERICAN FEDERATION OF LABOR; REPORTS; EXPENSES; UNIT RULE

Sec. 3. (a). At each convention of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, there shall be elected as many delegates to the American Federation of Labor conventions as the membership of the International union permits. Said

delegates shall make a full report of said convention to the General Executive Board in writing; and to the general membership through the official Journal within sixty (60) days.

(b). The expenses of the above delegates shall be paid by the International Union, the amount to be determined by the General Executive Board, with fare to and from the convention and no longer time shall be consumed than is necessary to make the trip. The General President and General Secretary-Treasurer shall act as delegates to the convention of the American Federation of Labor by virtue of their offices.

(c). The unit rule shall prevail in all votes cast amongst the delegates representing the International at the American Federation of Labor and department conventions.

ARTICLE V

OFFICERS, SALARIES AND EXPENSES

Section 1. (a). The salary of the General President shall be \$30,000 per year; the salary of the General Secretary-Treasurer shall be \$30,000 per year.

(b). In the event that the General President or General Secretary-Treasurer are compelled to leave their office for any reason of health, they shall be continued as advisors to the organization and their remuneration shall be the same as set forth in the Constitution.

(c). The Vice-Presidents and three Trustees shall receive the same salary as organizers while working under orders from the General President.

(d). The person holding the office of Assistant to the General President shall receive a salary of \$20,000 per year, and expenses as allowed to other executive officers and organizers.

(e). The organizers shall receive \$15,000 per year while working under orders from the General President.

(f). All executive officers, organizers and others working outside of their home city, or when traveling in the interest of the organization, shall receive their fare in addition to the above named sum to and from their destination, and in addition shall receive a sum not to exceed \$12 per day for hotel expenses. The General President, General Secretary-Treasurer, organizers and other executive officers of the International shall be allowed \$5 per day for incidental expenses.

(g). All special organizers' salaries and expenses shall be determined by the General President, subject to the approval of the General Executive Board.

(h). All salaries shall be determined by the convention prior to election of officers.

RIGHT OF GENERAL PRESIDENT TO TRAVEL, TAKE PERIODIC RESTS FOR CONSERVATION OF HEALTH, WITH COMPENSATION AND EXPENSES PROVIDED.

Sec. 2. The General President, for the purpose of promoting the interests and welfare of the International and the making of diplomatic

contacts with other organizations and institutions, and for the purpose of conserving his health, may in his discretion travel in this country or abroad and may take periodic rests. The General Executive Board shall provide for all expenses of the General President when performing the services mentioned herein or when taking periodic rests; the said expenses shall include travel in this country and abroad, the full and complete maintenance of his wife so that she can accompany the General President, and all secretarial help and services which he deems necessary while engaged as afore referred to. The expenses provided for herein are in addition to all other constitutional compensation and allowances. This provision shall apply only to the present incumbent of the office of General President.

ARTICLE VI

GENERAL PRESIDENT—DUTIES AND POWERS GENERAL DUTIES

Section 1. (a). The General President shall preside at the Convention of the International Brotherhood and conduct the same in conformity with this Constitution. He shall have the deciding vote in case of a tie on any question that is being voted on by the convention, and shall act to the best of his ability in furthering the interests of the organization. He shall fill any vacancy among the general officers, subject to the approval of the majority of the General Executive Board.

(b). The General President shall have general supervision over the affairs of the Inter-

national Brotherhood, which shall be conducted in accordance with the Constitution.

(c). The General President shall devote his entire time to the service of the International Brotherhood.

(d). It is understood, however, that this shall not prohibit or prevent him from accepting a call to service by the President of the United States; and if such call is made and he believes that it is in the best interests of the International Union to accept, his position and remuneration as now outlined in the Constitution shall not be interfered with and shall continue.

(e). The General President shall appoint a member of the International to the office of Assistant to the General President, who shall receive a salary for the term of his appointment as set forth in Article V, Sec. 1 (d).

(f). The General President shall be empowered to appoint assistants to carry on his work if he deems it necessary.

JUDICIAL POWERS

Sec. 2. (a). He shall decide on all points of law or grievances submitted to him by local unions, subject to appeal to the General Executive Board or next convention.

(b). When the General President makes a decision or orders a local union to observe the laws, and the local union refuses, the local union shall be subject to suspension or revocation of charter by the General Executive Board.

ARBITRATION; PROCEDURE; GENERAL PRESIDENT EMPOWERED TO SUBMIT QUESTION OF ARBITRATION TO GEN- ERAL EXECUTIVE BOARD WHEN SAT- ISFIED THAT LOCAL IS NOT JUSTI- FIED IN REJECTING ARBITRATION

Sec. 3. In any controversy with an employer, not covered by a local union agreement, the local union shall make all reasonable efforts to settle the same through negotiation and, if it fails, through a fair arbitration tribunal. If an employer offers to arbitrate, it shall be optional with the local union to accept or reject such arbitration. However, if the local rejects arbitration and the matter is brought to the attention of the General President, he shall ask the officers or representatives of the local to appear before him or his representative or in some other manner to explain their reasons for refusal. If the General President is satisfied that the local is not justified in refusing arbitration, then the General President shall submit the matter to the General Executive Board, and if the General Executive Board is of the opinion that the local union should arbitrate it may so decide, whereupon the local shall proceed to carry out the decision of the General Executive Board.

SUPERVISION OVER STRIKES AND LOCKOUTS

Sec. 4. He shall have charge of the conduct of strikes and lockouts, in conformity with this Constitution.

APPROVAL OF BY-LAWS OF LOCALS

Sec. 5. The General President shall assist and advise local unions, draft agreements when called upon, and approve local by-laws.

POWER OF GENERAL PRESIDENT TO APPOINT TRUSTEES AND DUTIES AND OBLIGATION OF LOCALS UNDER TRUSTEESHIP

Sec. 6. (a). If the General President has or receives information which leads him to believe that any of the officers of a local union are dishonest or incompetent, or that the organization is not being conducted for the benefit of the trade, he may appoint a Trustee to take charge and control of the affairs of the local union.

(b). The Trustee shall be authorized and empowered to take full charge of the affairs of the local union, to remove for the period of his trusteeship any or all officers and appoint temporary officers during his trusteeship, and to take such other action as in his judgment is necessary for the preservation of the local union and its interests. He shall report from time to time on the affairs and transactions of the local union to the General President. His acts shall be subject to the supervision of the General President.

(c). The suspended officers shall turn over all moneys, books and property of the local union to the Trustee, who must receipt for the same.

(d). Temporary officers and trustees must be members in good standing of local unions in

good standing. They must give bonds for the faithful discharge of their duties, satisfactory to whoever appointed them, which shall not be less than the amount of money they are apt to handle.

(e). The Trustee shall take possession of all the funds, books, papers and other property of the local union and tender a receipt for same. He shall pay all outstanding claims, properly proved, if funds are sufficient. If the funds are not sufficient he shall settle the most worthy claims, as his judgment dictates, unless otherwise provided for in this Constitution. When the Trustee recommends self-government be restored and such recommendation is approved by the General President, the Trustee shall return all funds, books, papers and other property to the local union. If, however, the charter of the local union is suspended or revoked, then any balance remaining to the credit of the local union shall be forwarded to the General Secretary-Treasurer, who shall hold it in trust for the purpose of reorganization.

REMOVAL OF INTERNATIONAL ORGANIZERS

Sec. 7. The General President, when he deems it for the best interests of the International, is hereby empowered to remove any International organizer who, in his opinion, is incompetent to perform the duties assigned to him.

COUNTERSIGN CHECKS; APPROVE BILLS

Sec. 8. He shall countersign all checks drawn

on the International Treasury by the General Secretary-Treasurer in accordance with Article VII, Sec. 6, of the Constitution, and approve all bills for services rendered the International Brotherhood.

AUDIT OF BOOKS

Sec. 9. The General President shall employ an expert public accountant to audit the books of the General Secretary-Treasurer on the 1st of April, July, October and January.

OFFICIAL JOURNAL

Sec. 10. (a). The official Journal shall be published under the supervision of the General President, subject to the approval of the General Executive Board, and a copy of the same furnished direct to each member in good standing who may furnish his name and address to the General President through the local secretary-treasurer. The General President shall be empowered to employ such help as he may need to carry on this work.

(b). It shall be compulsory upon the local secretary-treasurer to send in the name and address of every member in good standing to the office of the General President, quarterly, in order that the members may receive the magazine and keep the mailing list revised at all times.

VACANCY IN OFFICE OF GENERAL PRESIDENT

Sec. 11. The First Vice-President shall assume the duties of the General President in

case of the death, disability or resignation of that officer until such time as the General Executive Board shall select a General President, who shall hold office until the next convention.

ARTICLE VII

GENERAL SECRETARY-TREASURER—DUTIES AND POWERS

GENERAL DUTIES

Section 1. The General Secretary-Treasurer shall keep a correct record of the proceedings of the convention, preserve all important documents, papers, letters received and copies of all important letters sent by him. He shall conduct all financial correspondence between the International Brotherhood and the local unions. He shall be custodian of all the property of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers.

COMPENSATION; BOND

Sec. 2. The General Secretary-Treasurer shall receive such compensation as shall be determined by the convention, and he shall give bond to the General Executive Board in such amount as it deems proper for the faithful performance of his duties.

ISSUANCE OF CHARTER

Sec. 3. Application for charters shall be made to the General Secretary-Treasurer, who shall sign, issue and deliver a charter to the local union upon receipt of the following con-

tract, which must be signed by the secretary-treasurer of the local union:

CHARTER CONTRACT

Know all men by these presents, that I, Secretary-Treasurer of the..... Local located at being authorized to act for said local, in consideration of the General Secretary-Treasurer issuing a charter to said local, hereby agree: That said charter shall remain the property of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers; and in consideration of the premises herein stated, agree that when charter is framed, the frame shall immediately become the property of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers. Said local union shall have custody of said charter until it is demanded by some person authorized to make such demand, in accordance with this Constitution; and the charter and frame shall then be delivered to the person so authorized to demand and procure the same; and it is further agreed that any person so authorized may enter any premises occupied by the said local or any of its members and take possession and remove the said charter.

.....
By its Secretary-Treasurer.

FINANCIAL REPORT

Sec. 4. The General Secretary-Treasurer

shall publish a financial statement and furnish the Secretary-Treasurer of each local union with a copy of same, together with a statement of an expert accountant, showing the total amount of receipts and disbursements with the cash balance on hand. He shall also furnish the Secretary of each local union with a revised roster showing the number of unions in good standing. At any time a financial report is demanded by two or more local unions, the General Secretary-Treasurer shall give the locals asking for same the correct amount of money on hand in the international treasury and in the strike or general fund.

METHOD OF DETERMINING REPRESENTATION

Sec. 5. The General Secretary-Treasurer on sending out credentials, shall figure from July 1, 1940, to June 30, 1945, to ascertain the per capita tax stamps bought by local unions; the number of delegates given to local unions shall be upon this basis.

FINANCES

Sec. 6. The General Secretary-Treasurer shall receive all moneys due from local unions and other sources, giving his receipt therefor. All moneys shall be placed in the bank in the name of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, except when otherwise ordered by the General Executive Board, in accordance with Article XVIII, Sec. 8, subject to withdrawal only by the General Secretary-Treasurer and

the General President, with the exception of ten thousand dollars (\$10,000), which shall be deposited subject to withdrawal by check on the signature of the General Secretary-Treasurer for the purpose of paying current expenses. He shall keep a correct financial account between local unions and the International Brotherhood.

NOTIFICATION OF LOCALS IN ARREARS

Sec. 7. It shall be the duty of the General Secretary-Treasurer to notify the recording secretary or the president of the local union when said local union becomes in arrears for per capita tax.

SEALS; STAMPS; SUPPLIES

Sec. 8. (a). The General Secretary-Treasurer shall procure all seals, stamps and supplies and furnish same to all local unions desiring them. (It is compulsory for all local unions to procure all supplies from the General Office with the exception of letter paper and envelopes.)

(b). Individual members or locals shall not have the power to duplicate the stamps, buttons or paraphernalia issued by the International Brotherhood. Permission may be granted by the General Executive Board to local unions to have stationery and other minor supplies procured in their several localities.

PASSWORD

Sec. 9. The General Secretary-Treasurer shall issue the password quarterly.

OTHER DUTIES

Sec. 10. The General Secretary-Treasurer shall perform such other duties as are required of him by this Constitution.

ARTICLE VIII

TRUSTEES—DUTIES

AUDIT OF BOOKS

Section 1. The Trustees shall audit the books of the General Secretary-Treasurer on the first of April and October of each year, and report their findings immediately to the General President, and the General President shall, in turn, report to the General Executive Board.

FISCAL YEAR

Sec. 2. The fiscal quarters of the year shall commence on the first of April, first of July, first of October, and first of January.

ARTICLE IX

GENERAL EXECUTIVE BOARD—DUTIES
AND POWERS

GENERAL

Section 1. Such powers, duties and authority as are not otherwise delegated to the officers of the International shall be exercised, acted upon, and determined by the General Executive Board.

REVOCATION AND SUSPENSION

Sec. 2. (a). Unless otherwise provided in this Constitution, the General President, or General Secretary-Treasurer, when they deem it necessary to revoke a charter shall immediately notify the members of the General Executive Board, for their approval of same.

(b). Any local union suspended by the General Executive Board shall lose, for the period of its suspension, all privileges of the International Brotherhood, and the local central labor body shall be notified to exclude its delegates.

POWER TO DEBAR FROM MEMBERSHIP

Sec. 3. The General Executive Board, upon information received, shall have power to debar any member, who was dishonest or disloyal in the organization whose charter was revoked, from membership in the new local union.

TRIAL OF MEMBER ASSAULTING GENERAL OFFICER OR ORGANIZER

Sec. 4. Any member or number of members of a local union assaulting or injuring a general officer, or organizer, shall be tried and if found guilty punished by the General Executive Board on such charge in the same manner as hereinafter provided for other trials and punishments by the General Executive Board. If he is found not guilty, his expenses to the place of the General Executive Board meeting shall be paid by the General Office. If he is found guilty he shall be disciplined as the judgment of the General Executive Board dictates, and his

expenses shall not be paid. If he desires not to attend his trial, he may submit his answer or defense in writing to the Board.

MEETINGS OF GENERAL EXECUTIVE BOARD

Sec. 5. The General President, and in his absence the General Secretary-Treasurer, and in the absence of the General President and the General Secretary-Treasurer, the First Vice-President of the International Brotherhood shall have the power to call a meeting of the General Executive Board whenever, in their judgment, they deem it necessary. Upon the written request of a majority of the General Executive Board it shall be the duty of the General President to call a meeting of the General Executive Board.

ACTION WHEN NOT IN FORMAL SESSION

Sec. 6. In all matters requiring action by the General Executive Board, and when the General Executive Board is not in formal session, the General Executive Board may act by telegram, letter or long distance telephone. When the General President requires action by the General Executive Board, he may obtain the same by telegraphing, writing or telephoning to the members of the General Executive Board, and such members may take action on the matter brought to their attention in the same manner. Such action so taken by the members of the General Executive Board shall constitute action

of the General Executive Board as though the General Executive Board was in formal session.

SPECIAL CONVENTIONS

Sec. 7. Special conventions may be called when a majority of the members of the General Executive Board deem it necessary.

EMPLOYMENT OF CLERICAL HELP

Sec. 8. The General President and General Secretary-Treasurer shall have the power to employ such clerical assistance as may, from time to time, be necessary. Such help shall be paid reasonable salaries from the general fund, all of which shall be subject to the approval of the General Executive Board.

ARTICLE X

INITIATION FEES, PER CAPITA TAX, ETC.;

BOOK AUDITS OF LOCALS

REVENUE

Section 1. The revenue of the International Brotherhood shall be derived as follows:

Organization fee, which includes seal and all other organization supplies, \$15.

From the sale of supplies to local unions and from the sale of stamps of the following denominations: Initiation stamps, which are \$1.00; monthly due stamps (per capita), 30 cents.

(See Sec. 4 of this Article for additional revenue when initiation fee exceeds \$25.00.)

ASSESSMENT FOR EMERGENCIES

Sec. 2. Whenever the funds of the International Union run below two hundred and fifty thousand dollars (\$250,000) the General Executive Board shall levy an assessment of 50 cents per member on all local unions. Any local union failing to pay the assessment shall not be entitled to any of the benefits of the International organization. After being properly notified and given a reasonable length of time, if the union further refuses to pay the assessment, said local shall be suspended. Any local union failing to pay the assessment shall not be represented at the International Convention.

TRANSFER FROM DEFENSE FUND TO GENERAL FUND

Sec. 3. The General Executive Board may, when in its judgment it deems the same necessary, transfer any sum or sums of money from the defense fund to the general fund, and such moneys when so transferred may be used in the general fund for all and every purpose for which the moneys in the general fund may be used.

PAYMENT OF INITIATION FEES, REIN- STATEMENT FEES, AND PER CAPITA TAX

Sec. 4. (a). Each local union shall pay to the General Secretary-Treasurer the sum of one dollar (\$1.00) for every initiation fee or equivalent thereof collected up to and including twenty-five dollars (\$25.00). When the initia-

tion fee exceeds \$25.00 there shall be paid to the International 10% of the total initiation fee.*

(b). Each local union shall pay to the General Secretary-Treasurer a per capita tax of 30 cents per month, payable for the current month, not later than the 10th day of the succeeding month.

(c). All reinstatement fees paid into the local union shall be figured as monthly dues and the per capita tax must be paid on the same. The General Secretary-Treasurer shall receipt for all initiation fees and per capita tax by giving stamps of the above-named denomination.

PER CAPITA TAX; PREFERRED PAYMENT

Sec. 5. No local union shall have any right to pay any bills before it pays the per capita tax due to the International Union each month.

PAYMENT OF DUES AND FEES AND RECEIPT THEREFOR

Sec. 6. (a). Any member paying his initiation fees, monthly dues or reinstatement fees shall receive stamps from the local secretary-treasurer, who shall carefully paste the same on the space provided for in the member's official due card, and cancel the stamps with the dater provided for this purpose and affix his signature (on the date the initiation fees, monthly dues, or the reinstatement fees are paid) and said stamps shall at all times be

*When initiation fee or equivalent is \$25 or less \$1 to be paid to International; when initiation fee or equivalent exceeds \$25 payment to International is 10% of total initiation fee (Illustration: If initiation fee is \$50 International receives \$5).

acknowledged as a receipt for payment in full for all amounts, as designated by the stamps.

(b). Any local secretary-treasurer refusing to stamp the members' due books according to the amount of dues paid shall be liable to expulsion when the General Executive Board takes such action. Any member refusing to turn in his due book when requested shall be liable to a fine or suspension upon his local executive board taking such action.

(c). All members paying dues to local unions must pay them on or before the first day of the current month, in advance.

(d). A local union may provide by-laws for the payment of quarterly dues in advance, provided such by-laws are approved by the General President of the International Union.

(e). No other system of receipting for initiation fees, monthly dues or reinstatement fees will be recognized by the International Brotherhood.

ORDERS FOR STAMPS AND SUPPLIES

Sec. 7. All orders for stamps or supplies must be made on the regular official order blank and have the seal of the local ordering same attached and all money sent to the General Secretary-Treasurer must be sent by post-office or express money order, certified check or draft.

REPORTS TO BE FURNISHED BY LOCAL SECRETARY-TREASURER

Sec. 8. (a). The local secretary-treasurer shall forward monthly to the General Secretary-

Treasurer the names of all members initiated or reinstated, together with those who become suspended for non-payment of dues or for any other cause; also a correct list of those who take transfer or withdrawal cards, and shall promptly notify the General Secretary-Treasurer upon the death of any member.

(b). The local secretary-treasurer shall forward to the General Secretary-Treasurer the name of any member coming in on a transfer or depositing a withdrawal card. The penalty for violation of this section shall be expulsion from the local and International Union. The secretary-treasurer shall read his report to the local for approval at the first meeting in the month, and, at once, sign, seal and forward the same to headquarters.

(c). The General Secretary-Treasurer shall notify the local secretary to comply with the laws, and if he does not, he shall be removed from office for the second offense.

SURETY BOND

Sec. 9. (a). All local secretary-treasurers and business representatives upon assuming office, shall immediately procure a suitable surety bond. Said bond must be procured from a company named by the General Executive Board, a copy of which shall be kept on file at the General Office. The original shall be retained by the trustees of the local union.

(b). Any local secretary-treasurer or business representative failing to obtain or secure or provide a suitable surety bond satisfactory to the General Secretary-Treasurer or the Gen-

eral Executive Board shall automatically be deprived of holding any office for which a bond is required. Local officers failing to comply with this section shall subject the charter of such local union to suspension or revocation. The General President or the General Executive Board shall be empowered to suspend or revoke the charter of such local union for failure to comply with this section.

FILING OF MONTHLY AUDITS

Sec. 10. It shall be compulsory upon the trustees of all local unions to send a copy of their monthly audit to the General Secretary-Treasurer, to be placed on file in the General Office. Books of all local unions must be audited monthly by trustees.

DEPOSIT OF MONEY

Sec. 11. It shall be compulsory upon all local unions to keep their money deposited in reliable banks in the name of the local unions, and all moneys paid out for the local union must be paid by check upon the order of the local union and signed by the proper officials.

AUDIT OF BOOKS OF LOCAL UNIONS

Sec. 12. (a). Any organizer or officer of the International Union may be delegated, instructed and empowered to audit the books of any local union or unions, by the General President, or General Secretary-Treasurer.

(b). Local union officers shall give the delegated officer for examination, all books, bills,

receipts, vouchers and records of the local whenever requested.

(c). Any officer of a local union refusing to turn over the books, bills, vouchers or records to the delegated officer shall be liable to expulsion by the General Executive Board.

(d). Any member refusing to show his due card when asked shall be fined \$10.

(e). If the officer delegated to audit the books discovers any dishonesty or incompetency in the officers which warrants him in notifying the General President and General Secretary-Treasurer he shall do so and they shall take whatever action they deem advisable. The officers auditing books shall make a monthly report to the General President and General Secretary-Treasurer and shall have full power to go to any bank where a local union has its money deposited and investigate, and also get a certified balance sheet from the bank.

(f). The books of every local union that has been chartered over one year shall be audited between conventions.

ARREARAGE IN PER CAPITA TAX

Sec. 13. Where the books of a local union have been examined and audited and arrearages to the General Office for per capita are found, same must be paid immediately. No per capita nor initiation stamps will be forwarded covering same, simply a receipt signed by the General Secretary-Treasurer covering the amount of per capita paid.

PENALTY FOR ARREARAGE

Sec. 14. Should a local union become six months in arrears for per capita tax, their charter shall stand revoked. The General Secretary-Treasurer shall notify all local unions when two months in arrears, but failure to receive such notice shall not prevent the suspension of the local union, should it become three months in arrears.

RETURN OF FUNDS, BOOKS AND PROPERTY UPON REVOCATION OR DISSOLUTION

Sec. 15. When the charter of a local union is revoked the local union or its officers shall be required to return all books, documents, property and funds due to the General President or his representative, or to the General Office of the International Brotherhood, and should a local union dissolve or be dissolved, suspended or forfeit its charter, then all books, documents, property and funds due shall likewise be returned to the General President, or his representative, or to the General Office to be held in trust until such time as the local union may be reinstated or reorganized.

REORGANIZATION

EXPENSES INCURRED IN RECOVERING PROPERTY AND FUNDS ARE CHARGEABLE TO FUNDS OR PROPERTY RECOVERED

Sec. 16. Whenever a local union secedes, or

its charter is suspended or revoked, and demand is made upon such organization or its officers to deliver to the General President or his authorized representative the records, property and funds of such organization, and such demand is refused, then all expenses, of whatever nature, incurred by the International in recovering such records, property and funds, shall be a lawful charge upon the property and funds involved, and on recovery thereof, the International shall reimburse itself from the property and funds recovered. All property and funds shall be held in trust by the International until reorganization has been effected and shall be returned to the local when the same has been reorganized. Reorganization shall be effected by and under the direction of the International.

ARTICLE XI

FINANCE COMMITTEE—DUTIES

Section 1. (a). The General Executive Board shall appoint a Finance Committee of three members, consisting of the General President, General Secretary-Treasurer and the third to be named by the General Executive Board, who shall have power to invest the funds of the International Union.

Provided, That not more than \$50,000 be invested in bonds of any one corporation, except when the investment is in United States Government, State, County or Municipal bonds. Securities purchased shall be kept in a safety deposit box or boxes which shall be opened in the presence of two members of the Finance Committee.

(b). The International Union shall keep on hand not less than \$500,000 to meet any emergencies that may arise.

(c). The Finance Committee, if requested so to do by the International, shall furnish a bond, payable to the International, in such sum and in such manner as the General Executive Board shall require.

ARTICLE XII

STRIKES, LOCKOUTS, WAGE SCALES

STRIKE ACTION BY LOCAL UNIONS

Section 1. (a). When any difficulty arises between the members of any local union and their employers, the members shall lay the matter before their local union, and, if approved by the union, the president of the local shall appoint a committee to wait upon the employers and endeavor to adjust the difficulty; said committee shall report at the next regular or special meeting, and the local union shall then take such course as is prescribed in this Constitution.

(b). If a settlement cannot be reached the union shall, at a meeting, order a secret ballot to be taken, and it shall require a two-thirds majority of all members of the union present to adopt a motion to strike. The ballot taken must be "Yes" or "No" written on paper ballots.

(c). Prior to a local union becoming involved in a strike, lockout, boycott, lawsuit or any serious difficulty, they shall immediately notify the Secretary of the Joint Council, whose duty it shall be to call a meeting of the Council at

once, and they shall take action as they deem advisable and report the same to the General President.

DEFENSE FUND

Sec. 2. The money in the defense fund may be used for the following purposes:

To sustain legal strikes and lockouts and for the purpose of advancing and defending the principles of unionism, as applied to our craft; and to pay constitutional obligations in any strike or lockout approved or ordered by the General Executive Board. The General Executive Board may, in its discretion, expend the money of the general organization in any emergency that may arise in defense of the local unions in any district.

PAYMENT OF BENEFITS

Sec. 3. (a). The General Executive Board shall not approve of any strike accompanied by payment of benefits unless there are sufficient funds on hand in the International Treasury to pay strike benefits.

(b). The General Executive Board shall have the power to pay out the entire International Treasury to a local union that is on strike, when the strike has been authorized by the General Executive Board.

CONSENT OF GENERAL EXECUTIVE BOARD

Sec. 4. Any local union going out upon strike without the consent of the General Executive

Board shall not be entitled to financial benefits from the International Brotherhood.

STRIKE BENEFITS

Sec. 5. Strike benefits or relief in cases of lockouts, etc., shall be paid to all members in good standing at the rate of \$10.00 per week, and will be payable at the end of the second week of the strike or lockout; but in no case shall a fraction of a week's strike pay be allowed nor the first week of a strike or lockout be paid for; any arrearages for dues, and dues one month in advance shall be deducted from the first payment of benefits and duly credited to the member or members so in arrears. All members shall be entitled to strike pay for such a period of time as the General Executive Board shall determine.

REQUIREMENTS FOR PAYMENT OF STRIKE BENEFITS

Sec. 6. (a). No local union shall receive strike benefits from the International Brotherhood unless the local union has been six months in good standing.

(b). Any local union which has not paid per capita tax on every member who has paid dues into said local, and which has not enrolled its entire membership at Headquarters, shall not be entitled to benefits in case of a strike or lockout.

(c). A local union or member more than one month in arrears for per capita tax or dues shall not be entitled to benefits, and should a local union or member become three months in

arrears for per capita tax, dues, fines, etc., they shall stand suspended and shall not be entitled to benefits for three months after all arrears have been paid.

(d). No member of a local union on strike shall be entitled to a weekly benefit unless he reports daily to the proper officers of the local or International Union while the strike continues, and no member who shall receive a week's work (three days to be considered a week) shall receive benefits. Any member refusing to work for an employer considered fair, while on strike, shall be debarred from all benefits under this law.

PAYROLLS, REPORTS

Sec. 7. (a). The General Secretary-Treasurer shall, on or about the end of the second week and each succeeding week of a strike or lockout, forward to the local secretary-treasurer or deputy a check covering a sufficient amount to pay each week's benefits, and he shall also furnish blank payroll sheets on which each member shall sign for the amount received, said payroll to be made in duplicate.

(b). The local secretary-treasurer or deputy shall forward the original payroll to Headquarters, but shall retain a carbon copy of the same for future reference, and the executive board of the local union that is out on strike shall endorse the payroll.

(c). Failure to receive receipted payroll sheets in due time at the General Office will be sufficient cause for the discontinuance of bene-

fits to any local union failing to comply with this law.

(d). During the continuance of a strike the deputy or strike committee of the local union shall make weekly reports to the General Secretary-Treasurer, showing the amount of moneys distributed for benefits, the number of beneficiaries and all other facts that may be required.

TERMINATION OF STRIKE

Sec. 8. The General President, with the sanction of the General Executive Board, shall have the power, when satisfied upon facts and information in his possession that the support of a strike or lockout shall cease, to declare the same at an end so far as the financial aid of the International Union is concerned.

RETURN OF UNUSED STRIKE FUNDS.

Sec. 9. All moneys from the International defense fund remaining unused by the local union at the close of the strike or lockout shall be returned at once to the General Secretary-Treasurer.

LOCKOUT

Sec. 10. A declaration on the part of an employer, or a combination of employers, to the effect that their employes must cease their connection with the Brotherhood or cease work, shall be deemed a lockout. In case a lockout is reported to the International Brotherhood, the General President shall endeavor to obtain a satisfactory proof that the difficulty is a bona

vide lockout. Also a lockout shall be deemed to exist when an employer refuses to permit his employes to continue at work, unless such employes agree to a substantial and material breach of an existing agreement.

WAGE SCALES AND APPROVAL THEREOF

Sec. 11. (a). Any local desiring to present a wage scale to its employers shall first submit a copy of the same to the Joint Council, if one exists in its city or vicinity. Should the same have the approval of the Joint Council, it shall be compulsory upon the local unions to forward a copy of the wage scale to the General President for his sanction before the same shall be presented to any employer. The General President shall have the power to inquire into the conditions surrounding the local union, and if, in his judgment, conditions do not warrant the presentation of the same, he shall immediately notify the local union of his decision in the matter. A copy of the wage scale must be in the hands of the General President at least thirty (30) days before presenting the same to the employers.

(b). True copies of final agreements arrived at by a local or a Joint Council shall be filed in the office of the General President immediately upon consummation.

(c). Approval or disapproval by the General President of wage scales or other agreements is not intended to impose any liability on the International or its officers; and the International does not assume any liability of any

nature to any person or persons for such approval or disapproval.

(d). Upon the General President endorsing the wage scale submitted by the local union, he shall immediately notify the General Executive Board of his action, together with a statement of the conditions surrounding the local union, and if, in his opinion, the local union is warranted in presenting the wage scale to the employers, he shall request the General Executive Board to endorse the action of the local union; providing the local union uses all necessary endeavors to bring about a peaceable and satisfactory settlement by negotiation or arbitration.

ARTICLE XIII

ASSISTANCE TO LOCAL UNIONS

GENERAL ASSISTANCE TO LOCAL UNIONS

Section 1. No local union shall receive financial assistance from the International Brotherhood unless the secretary-treasurer of said local union has been bonded in accordance with the provisions of this Constitution.

ASSISTANCE FROM SISTER LOCALS

Sec. 2. All local unions affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, soliciting financial aid from sister local unions, must first receive official approval and endorsement from the General Executive Board.

ARTICLE XIV

CHARTER MEMBERS, DUES, MEETINGS
OF LOCALS

CHARTER MEMBERS

Section 1. (a). Charter members shall consist of the names forwarded to Headquarters with the application for charter, and local unions must procure initiation stamps for all charter members, but charter members shall not be required to pay per capita tax for the month in which they receive their charter.

(b). Charter members shall receive a free copy of the constitution and official due card from the International Union.

(c). A local union may, by majority vote, keep its charter open for a term of thirty or sixty days after receiving the same, but all members initiated must have their official due cards stamped as provided by Article X, Sec. 6 (a).

DUES AND MEETINGS OF LOCALS; FOR-
FEITURE OF FINANCIAL BENEFITS
FOR FAILURE TO HOLD MEETINGS

Sec. 2. (a). Dues of members of all local unions now and hereafter chartered by the International Union shall not be less than two dollars (\$2.00) per month.

(b). All local unions must hold meetings at least once a month, except where the General Executive Board is satisfied, from evidence provided by the local unions, that it is impossible or unsatisfactory or unreasonably expensive,

and in such cases the General Executive Board shall establish such conditions relative to the holding of meetings as in its judgment it deems advisable.

(c). Any local union requesting strike endorsement or who may be locked out shall not receive any benefits, financial or otherwise, if it has been chartered for one year or more and has failed to carry out this section of the Constitution for a period of one year prior to the time of lockout or request for strike endorsement.

(d). Any local failing to comply with this section shall not be entitled to any financial or other benefits from the International Union, and the General Executive Board may revoke the charter of any local union failing to comply with this law.

ARTICLE XV

JOINT COUNCILS

FORMATION OF JOINT COUNCILS

Section 1. (a). Whenever three or more local unions are located in one city they shall form a Joint Council, but where there are only a few local unions in small cities or towns adjoining or adjacent to large cities, they shall affiliate with the Joint Council in the large cities.

(b). In localities composed of small cities and towns, the General Executive Board shall decide when, where and by whom Joint Councils shall be formed. Should any dispute arise as to the jurisdiction of a Joint Council, it shall be decided by the General Executive Board.

REPRESENTATION

Sec. 2. (a). Each local shall be entitled to seven delegates, excluding its Business Representative.

(b). The seven executive officers of each local union shall constitute the delegates to the Joint Council. The Business Representative shall be entitled to the floor, but cannot introduce a motion or vote.

DUES

Sec. 3. Local unions shall pay monthly dues, proportionate to their numerical strength, sufficient to maintain the organization.

JUDICIAL POWERS

Sec. 4. (a). Joint Councils shall have full power to adjust all questions of jurisdiction between local unions, subject to the approval of the General Executive Board, to try cases against local unions, cases appealed from local unions, and to try individual cases which local unions refuse or neglect to try in accordance with the trial procedure provided for in Article XVIII.

(b). Should any member violate his obligation by refusing to employ union men, or to patronize and assist members of the International Brotherhood, the member who may have been aggrieved shall present his case in writing to the Joint Council and if there is no Joint Council then to the General Executive Board and they shall hear and decide the case and report their decision back to each affiliated local.

BY-LAWS FOR JOINT COUNCIL

Sec. 5. A Joint Council may make such by-laws as it deems proper provided, it does not conflict with the laws of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers. Such by-laws shall be approved by the General President.

AFFILIATION OF LOCAL UNIONS

Sec. 6. All local unions within the jurisdiction of the Joint Council shall affiliate with the Joint Council, comply with its laws and obey its orders.

ARTICLE XVI

CHARTERED MISCELLANEOUS LOCALS

Section 1. (a). Whenever there is not a sufficient number of any one craft, a mixed local may be formed. There shall be only one local union of any craft chartered in any city, except in localities where it may be necessary, and in such cases the General Executive Board shall, after the Joint Council has granted permission, have full power to determine the advisability of issuing a separate charter.

(b). Whenever there is a mixed Local Union in existence, any separate and distinct division of each craft consisting of two hundred (200) or more members may apply to the International for a separate charter. However, such group shall first make request of the Local Union with which it is affiliated for approval of its application for a separate charter. If such

request is denied, or if the Local fails to act upon the same within a reasonable time, then the application may be made to the International. Thereupon, the General President shall consider the matter, and if he deems it for the best interests of the organization he may order and direct, subject to the approval of the General Executive Board, that a separate charter be issued to the group applying for same. In the consideration of such application the General President shall notify the mixed Local of the application for such separate charter, so that it may present argument in opposition to the issuance of such separate charter. When a separate charter is issued to a separate group as herein provided, all matters coming under the jurisdiction of the newly chartered Local must be transferred to said new Local. It shall be incumbent upon the mixed Local Union to provide the necessary funds with which the newly constituted Local shall obtain its charter.

ARTICLE XVII

TRANSFER AND WITHDRAWAL CARDS

DUTY TO ACCEPT TRANSFER CARD

Section 1. It shall be compulsory upon every Local Union to accept the transfer card of a member in good standing with any Local Union of the International Organization, without any extra charge or fees, except as provided in the International Constitution; provided, however, the member seeking to transfer shall comply with all rules and regulations set forth in this Constitution respecting transfer; and provided

further he shall comply with rules and regulations of the Local and its Constitution and by-laws. Such Union shall accord him opportunity for employment and all other rights and privileges in accordance with the rules and regulations of the Local Union to which he seeks to transfer.

TRANSFER CARD

DATE OF INITIATION

Sec. 2. This is to certify that the bearer hereof, Brother....., whose name is written on the margin of this card in his own handwriting, is a member in good standing of Local No....., International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, and is entitled to all rights and privileges under our jurisdiction.

We recommend him to the friendship and protection of all members of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, wherever he may be, and to free admission, provided he has been a member not less than ninety days in the Local Union from which he transfers, otherwise he shall pay the difference in the Initiation Fee to the Local Union to which he transfers.

This card expires, 19...., and is null and void after that date, unless renewed or deposited in accordance with the Constitution.

The member receiving this card will be suspended from all rights and benefits unless the card is renewed by the Local Union before its

expiration. It will also be forfeited unless deposited within thirty days after going to work in any town or city where there is a Local Union.

This card is issued in accordance with provisions of Article XVII, Sec. 1, and Article XVII, Sec. 3, of the International Constitution.

Given under our hands and the seal of Local Union No., this.....day of, 19.....
(SEAL)

DEPOSIT OF TRANSFER CARD

Sec. 3. (a). It shall be compulsory for a member working under the jurisdiction of another Local Union to procure a transfer card at the first regular meeting from the Local of which he is a member, and to deposit the same with the Local Union under whose jurisdiction he is working, within thirty days. If a member is working under the jurisdiction of another Local Union, or the Joint Council decides he should transfer, and he refuses, he thereby forfeits his membership, and his Local must not accept any more dues or furnish him with a button.

(b). Said member must sign his name in the presence of the Secretary of the Local from which he transfers and countersign in the presence of the Secretary of the Local to which he seeks admission, and also produce an official due card stamped up to date. Salaried officers of the International Brotherhood shall not be required to transfer from their respective Locals

while employed by the International Organization.

HONORABLE WITHDRAWAL CARD

Sec. 4. (a). This is to certify that the bearer hereof, Brother, whose name appears on the margin of this card in his own handwriting, has paid all dues and demands and withdrawn in good standing from membership in Local No.

(b). This card entitles him to readmission to the Local Union from which this card was issued at any time.

(c). Any member of the International Union leaving our employment or going to work at another craft or occupation, must be given an honorable withdrawal card and cannot remain a member of the International Union; but before a withdrawal card is issued the individual must comply with all rules and laws of the Local and International Union.

(d). Any ex-member out on a withdrawal card and desiring to return to membership, must first deposit his withdrawal card with the Local Union by which it was issued; and upon the withdrawal card being accepted, the member shall be subject to the rules and laws of the Local Union. **THIS CARD MUST BE RENEWED BY THE INDIVIDUAL ONCE EVERY TWELVE MONTHS.**

(e). Local Unions must not accept withdrawal cards if the member has committed any offense while out on withdrawal card which would be injurious to union principles. Also if the Local Union is paying benefits and the

member has fallen into bad health or is liable to become a charge against the Local or International Union, acceptance of the withdrawal card can be refused by the Local Union.

Given under our hands and the seal of Local Union No., this day of, 19.....
(SEAL)

....., Secretary.
....., President.

JURISDICTION

Sec. 5. Local Unions shall have jurisdiction over the granting of all honorable withdrawal cards.

ARTICLE XVIII

TRIAL AND APPEALS

TRIALS OF LOCAL OFFICERS AND MEMBERS—PROCEDURE

Section 1. (a). A member or officer of a Local Union, charged with any offense constituting a violation of this Constitution, shall, unless otherwise provided in this Constitution, be tried by the Local Executive Board. If the member proposing the charges is a member of such Board then the President of the Local shall appoint a disinterested member as a substitute.

(b). Whenever charges are preferred against any member or officer of a Local, the charges shall be filed in writing in duplicate with the Secretary of the Local Union, Joint Council or General Executive Board which is to try the case. No member or officer of a Local shall be

tried unless he or she shall be served by the Secretary, personally or by registered mail, with a written copy of such charges specifying the nature of the offense of which he or she is accused. Thereupon, the accused shall be required to stand trial at the time and place designated, which shall not be less than ten (10) days from the date the charges are served upon the accused. The accused may appear in person, and with witnesses, to answer the charges preferred against him or her. He may select a member of his Local to represent him in the presentation of his defense.

(c). If the charges, or any portion thereof, are sustained, then the trial body shall render judgment and impose disciplinary action as provided for in this Constitution. If the charges are not sustained, the same shall be dismissed and the accused restored to full rights of membership or office in the Local Union.

(d). Upon filing of such charges, and if the same are of such magnitude and seriousness as to jeopardize the interests of the Local or International, then and in that event the General President, if the matter is brought to his attention, may, if he deems it advisable, immediately suspend such member or officer from membership or office in the Local Union until a decision has been rendered in the case.

APPEALS OF LOCAL OFFICERS AND MEMBERS

Sec. 2. (a). In the event disciplinary action is taken against the accused, he or she may take an appeal from the decision of the Local

Executive Board to the Executive Board of the Joint Council, if one exists, otherwise the appeal shall be taken to the General Executive Board. Appeals from decisions of the Executive Board of Joint Councils may be taken to the General Executive Board. Appeals from the General Executive Board shall be taken to the next Convention. All manner of appeals shall be taken within fifteen (15) days from the date of the rendition of the decision.

(b). The appellant shall mail a written notice of such appeal to the secretary of the body to which the appeal is directed. No specific form or formality shall be required, except that such notice shall clearly state an appeal is being taken from the particular decision rendered in the particular case. Pending any appeal, the decision appealed from shall remain in full force and effect. Appeals shall be heard either on the record made before the trial tribunal or by a re-trial, in the discretion of the body hearing the appeal. Decisions on appeals shall be rendered as promptly as possible after the appeal has been heard. The date when an appeal will be considered by the appellate body may be fixed by it, but it shall proceed without unnecessary delay. Notice of the date when the appeal will be heard shall be served personally or by registered mail on the parties interested in the particular case, and such parties may, in the discretion of the appellate body, be accorded the right to appear before the appellate body and present argument on the case.

(c). If a member of the Executive Board of the Joint Council or of the General Executive

Board is interested in the case as a party thereto, then the President of the Joint Council or the General President of the International, as the case may be, shall appoint a substitute.

(d). Failure of any interested party in any case to appear before any trial or appellate body at the time and place designated in the notice shall constitute a waiver of defense and the trial shall proceed or the appeal heard regardless of the absence of such party.

(e). Any party to a case, regardless of whether such party is the accused or not, being aggrieved of a decision rendered in the case shall be entitled to the same rights of appeal as are hereinbefore provided for accused.

TRIALS AND APPEALS OF LOCAL UNIONS, JOINT COUNCILS, GENERAL OFFICERS, AND GENERAL ORGANIZERS

Sec. 3. (a). Whenever charges are preferred against a Local Union or against a Joint Council, such charges shall be filed in writing in duplicate with the Secretary of the trial body, and shall be served personally or by registered mail on the Secretary-Treasurer of the Local Union or the Joint Council so charged. If the charges are against the Local Union the trial shall be by the Executive Board of the Joint Council. If the charges are against a Joint Council the trial shall be before the General Executive Board.

(b). A Local shall be accorded thirty (30) days' time in which to appear for trial and

submit its defense. In the case of a Joint Council the time of trial shall be fixed by the General Executive Board.

(c). In the matter of appeals from decisions affecting Local Unions the same shall be taken to the General Executive Board, and from it to the Convention. In the matter of appeals from decisions affecting Joint Councils, the same shall be taken to the Convention. In all other respects procedure on appeals shall be the same as provided for in Section 2, this Article.

(d). Trial of General Officers and General Organizers shall be before the General Executive Board at such time and place as fixed by the General Executive Board. The Officer charged shall be found guilty only on a majority vote of the entire General Executive Board. Appeals from decisions of the General Executive Board shall be to the Convention.

(e). Emergency powers provided for in Section 9, this Article, shall apply with the same force and effect to Local Unions and Joint Councils.

ORIGINAL JURISDICTION OF GENERAL EXECUTIVE BOARD TO TRY OFFENSES AGAINST INTERNATIONAL UNION

Sec. 4. (a). The General Executive Board shall have jurisdiction to try individual members, Local Unions, Joint Councils, or International Officers for all offenses committed against the officers of the International Organization or the International Organization.

(b). Charges shall be filed in duplicate in writing with the General Secretary-Treasurer

or the General President. A copy of the charges shall be served personally or by registered mail upon the accused, together with notice of the time and place of trial.

(c). If convicted, the accused charged may appeal to the next Convention. If found not guilty, and the accused is an individual, his expenses shall be paid by the International Office.

(d). If the accused are unable to be present at the meeting of the Board, they may present their case in writing. Pending an appeal, the decision of the General Executive Board must be complied with.

GROUNDS FOR CHARGES AGAINST MEMBERS, LOCALS, JOINT COUN- CILS AND OFFICERS

Sec. 5. (a). The basis for charges against members, Local Unions, Joint Councils or officers, for which he, she or it shall stand trial, shall, among other things, consist of the following:

- (1) Violation of any specific provision of the Constitution.
- (2) Violation of the oath of loyalty to the Local and the International.
- (3) Violation of the oath of office.
- (4) Gross disloyalty, or conduct unbecoming a member.
- (5) If an officer, gross inefficiency which shall hinder and impair the interests of the Local or of the International.
- (6) Misappropriation.

- (7) Secession, or fostering the same.
- (8) Abuse of fellow members and officers by written or oral communication.
- (9) Abuse of fellow members or officers in the meeting hall.
- (10) Activities which tend to bring the Local or the International into disrepute.
- (11) Disobedience to the regulations, rules, mandates and decrees of the Local or of the officers of the International.

(b). And for such other acts and conduct which shall be considered inconsistent with the duties, obligations and fealty of a member of a trade union, and for violation of sound trade union principles.

SPECIFIC OFFENSES

Sec. 6. Any member who (1) knowingly goes to work or remains in the employment of any person, firm or corporation whose men are on strike or locked out, unless he has permission of the International, the Joint Council or his Local Union, may be tried by the Executive Board of his Local Union, or (2) knowingly gives or attempts to give directly or indirectly, any information to any employer on an unfair list or whose men are on strike or locked out, or whose men are trying to secure an agreement or an improvement in their working conditions or whose men are trying to prevent an increase in hours of labor or a decrease in wages, for the purpose of assisting such employer, or for any gain or promise of gain, or (3) knowingly goes

to work or remains in the employment of any person, firm or corporation on an unfair list of the International without permission from the International Brotherhood, the Joint Council or his Local Union, may be tried in the manner provided for the trial of other offenses.

REFUSAL TO RETURN BOOKS

Sec. 7. Any member who (1) wrongfully takes or retains any money, books, papers or any other property belonging to the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, any Joint Council or Local Union; or (2) who mutilates, erases, destroys or in any way injures any books, bills, receipts, vouchers, or other property of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers, any Joint Council or Local Union, may be tried in the manner provided for the trial of other offenses.

DECISIONS AND PENALTIES

Sec. 8. (a). Decisions and penalties imposed upon the persons, officers, Locals or Joint Councils found guilty of charges may consist of reprimands, fines, suspensions, expulsions, revocations, or commands to do or perform, or refrain from doing or performing, specified acts. If the penalty is by way of fine then the same must be paid, pending an appeal if one is taken. If the fine is against a member or officer of a Local Union, assessed by the Local Union, it shall be paid into the Treasury of the Local

Union. If a fine is assessed against a Local by a Joint Council the payment shall be to the Treasury of the Joint Council.

(b). If the fine is assessed where the General Executive Board has original jurisdiction, it shall be paid to the Treasury of the International.

(c). When such penalty consists only of a fine and an appeal is taken, such fine shall be deposited as above provided; thereupon such member, officer or Local shall be permitted to continue in the Union with full rights and privileges in accordance with the laws of the International. If on appeal the decision is reversed and the fine disallowed, then the same shall be returned to the party depositing the same. Whenever a decision is handed down by any trial or appellate body and an appeal is taken, such decision shall stand and remain in full force and effect until reversed by a higher body.

(d). In the event of non-compliance with the decision handed down by a trial or appellate body, the member, officer, Local, or Joint Council shall stand suspended from all privileges of the International Brotherhood until the provisions of the decision have been complied with. If, however, the decision carries with it an order of expulsion, then such order of expulsion shall immediately take effect.

(e). Any member or Local that is tried by the General Executive Board cannot be tried for the same offense by a Local or Joint Council.

EMERGENCY POWER IN GENERAL PRESIDENT TO CONDUCT A TRIAL WHEN WELFARE OF ORGANIZATION DEMANDS

Sec. 9. (a). Whenever charges involving a member or members, officer or officers, Local Union or Joint Council create a situation imminently dangerous to the welfare of a Local Union, Joint Council, or the International, the General President is empowered, in his discretion, to assume original jurisdiction in such matter, regardless of the fact that charges have been filed with another body and are pending. Under such circumstances, the General President may hold a hearing upon giving not less than forty-eight (48) hours notice to the persons charged to appear before him at a place and time designated by him. He may then proceed to hear and try the matter and render judgment in accordance with the facts and circumstances presented to him. When the General President has so acted, an appeal shall lie from his decision to the General Executive Board, and from the General Executive Board to the Convention in the same manner as is provided for appeals in other cases. Pending appeal from the General President's action, his decision shall stand and be enforced.

(b). When the General President deems it necessary to exercise the foregoing emergency power, he may deputize a representative to act for him in such matter. Such representative shall have the same powers as the General

President as herein provided; however, when a trial shall be conducted by a representative of the General President, such representative shall make his recommendations to the General President, orally or in writing, and the decision in the case shall be made by the General President himself.

CHARGES NOT PREFERRED IN GOOD FAITH

Sec. 10. If charges are preferred against members or officers of Local Unions and such charges are not sustained, and the trial body is convinced that the same were not brought in good faith or were actuated by malice, the trial body or the appellate body may impose such penalty by the way of punishment as in its judgment is deemed proper under the circumstances.

REFUSAL OF LOCAL TO TRY MEMBER

Sec. 11. Any Local Union refusing to try its members when charges have been preferred by another Local Union, for any cause whatsoever, the Local Union preferring the charges may then bring the charge before the Executive Board of the Joint Council, where one exists, for trial and decision in the same manner as provided for the conduct of other trials before the Local Executive Board. If no Joint Council exists, then the matter shall come within the jurisdiction of the General Executive Board.

REVOCATION OF MEMBERSHIP ON BEING FOUND GUILTY OF CRIME

Sec. 12. (a). When a member is found guilty of the commission of a crime or serious wrongdoing, or pleads guilty to the commission of a crime or serious wrongdoing, against the Local Union or against the community, and which crime or act of serious wrongdoing tends to bring dishonor upon the Local Union or the International Organization, it shall be the duty of the Local Union to proceed to revoke the membership of such member. Likewise, whenever a member of a Local Union has engaged in what is commonly termed racketeering, and he is found guilty thereof, thereby bringing dishonor upon the Local Union or upon the International Organization, it shall be the duty of the Local Union to proceed in the manner provided in Article XVIII, Sec. 1, to revoke the membership of such member.

(b). Under the circumstances referred to in the foregoing paragraph, the Secretary-Treasurer of the Local Union shall refuse to accept dues from any person so removed from membership. It shall be mandatory upon the Local Executive Board to order the name of such member stricken from the rolls and to notify all Local Unions in the district, the Joint Council and the International, of its action and the cause therefor.

(c). In the event a Local Union fails to carry out the foregoing provision, then the General President, when the matter is brought to his attention, shall have the power, in his discre-

tion, to proceed to revoke or order the revocation of the membership of such member.

EXHAUSTION OF REMEDIES

Sec. 13. Every member or officer of a Local Union, Joint Council or General Officer of the International, against whom charges have been preferred and disciplinary action taken as a result thereof, shall be obliged to exhaust all remedies provided for in this Constitution and by the International before resorting to any other court or tribunal.

ARTICLE XIX

DISSOLUTION

Section 1. No Local Union can dissolve while there are seven (7) dissenting members; no Joint Council can dissolve while there are two (2) dissenting Local Unions; nor can this International dissolve while there are seven (7) dissenting Locals.

ARTICLE XX

LABOR DAY

Section 1. We recognize the first Monday in September as Labor Day, except in states where another day is provided by law, and call upon all Local Unions to observe the same. It is advisable for Local Unions to unite and march under one banner in cities where there is more than one Local Union and each Local Union can make such rules and regulations requiring

their members to observe the day, as best adapted to their locality.

ARTICLE XXI

INSTRUCTIONS TO LOCAL UNIONS FOR DRAFTING BY-LAWS, ETC.

Section 1. (a). Each Local Union shall have the right to make such by-laws as it may deem advisable, providing they do not conflict with the laws of the International Union.

(b). The officers of the Local Union shall consist of a President, Vice-President, Recording Secretary, Secretary-Treasurer and three Trustees. These officers shall constitute the Executive Board of the organization.

(c). Election of officers of Local Unions shall not exceed the period for which International officers are elected. In the instance of Local Unions that have not been chartered two years at the time of the adoption of this provision and in the case of new locals hereafter chartered, until such locals have been chartered for two years, officers shall not be elected for a period longer than one year.

(d). The Conductor and Warden shall be appointed by the Chair. All officers shall serve for the period of their election unless removed for incompetency, or neglect of duty, dishonesty or other violation of this Constitution.

(e). Nomination of officers shall take place in November or December and the election shall follow at the next meeting. The officers-elect may be installed at the same meeting at which they are elected.

(f). The Business Representative of a Local Union shall be elected the same as any other officer; but can be removed at any time for incompetency, neglect of duty, or dishonesty or other violations of this Constitution, or if there are not sufficient funds in the Local Union to pay his salary. He shall be given a trial, as stated above, the same as any other officer.

(g). The Trustees shall be elected in the following manner: One for three years, one for two years and one for one year, and thereafter each Trustee for a period of three years unless the election is to fill an unexpired term.

ARTICLE XXII

INSTRUCTIONS TO LOCAL SECRETARY-TREASURERS

Section 1. (a). Local Union Secretary-Treasurers, immediately upon taking the office of Secretary-Treasurer, shall procure a suitable surety bond, and a copy of the same must be filed in the General Office.

(b). Local Secretary-Treasurers shall deposit all moneys of the Local Unions in a reliable bank in the name of the Local Union at least twice a month or oftener, if possible, as the Local Union may designate from time to time.

(c). Local Secretary-Treasurers must pay all bills by check, countersigned by the proper officials of the Local Union.

(d). Local Secretary-Treasurers must balance their day book and cash book monthly, showing the exact balance on hand with the

Local Union on the first day of the coming month, and have their bank book balanced on the last day of the month or get a bank statement from the bank on the last day of the month, showing the exact amount of money in the bank, so that the Trustees of the organization may verify the bank statement and the books of the Local Union at any time.

(e). Local Secretary-Treasurers must keep the International bookkeeping system, consisting of a day book, ledger and cash book.

(f). Local Secretary-Treasurers must receive a voucher properly signed by the President and Recording Secretary for all bills that are ordered paid by the Local Union.

(g). Local Secretary-Treasurers must keep the applications of all new members initiated filed monthly.

(h). Local Secretary-Treasurers must keep all of the part paid applications on hand properly filed.

(i). Local Secretary-Treasurers must keep all receipted bills with a voucher of the Local Union attached to same and filed monthly.

(j). Local Secretary-Treasurers must attach all return checks to the stub in the check book of the Local Union each month, when he receives his cancelled checks from the bank.

(k). Local Secretary-Treasurers shall report to the General Secretary-Treasurer on the first day of each month, the number of men that are being carried on the books of the Local Union as good standing members, and all new members who have been initiated during the previous month and all members who have paid up

their back dues and again become in good standing. This report must be made on the monthly report blank that is issued by the General Secretary-Treasurer.

(l). Local Secretary-Treasurers must pay to the General Secretary-Treasurer 30 cents out of every due collected by the Local Union.

(m). Local Secretary-Treasurers must report the names and addresses of all new members coming into the Local Union to the General Office.

(n). Local Secretary-Treasurers shall send to the General Secretary-Treasurer a revised list quarterly of the names and addresses of all members in good standing in the Local Union.

(o). Local Secretary-Treasurers cannot and must not carry any men on their books as members of the organization and mark them exempt from paying dues.

(p). Local Secretary-Treasurers on the monthly audit of the Trustees must see that the Trustees sign his books, if the Trustees of the Local Union have found them correct and the bank balance verified with the balance on the books of the Local Union.

(q). Local Secretary-Treasurers must see that the Chairman of the Trustees forwards a copy of the monthly audit, properly signed by the Trustees, showing the balance on hand with the Local Union to the General Secretary-Treasurer.

(r). When the term of office of a Local Secretary-Treasurer expires and his successor is elected to take his place, he must see that his successor is properly bonded and a copy of the

bond sent to the General Office before he transfers the funds of the organization to his successor in office.

ARTICLE XXIII

RULES OF ORDER FOR LOCAL UNIONS

Section 1. The President, while presiding, shall state every question coming before the Local Union before suffering debate thereon, and immediately before putting it to a vote he shall ask: "Is the Union ready for the question?" Should no member rise to speak and the Local Union indicate its readiness, he shall rise to put the question. After he has risen no member shall be permitted to speak upon it.

Sec. 2. When the decision of the President is appealed from, he shall state his decision and the reasons therefor, from the chair. The party appealing shall then briefly state the reasons for the appeal, after which, without further debate, the question shall be put thus: "Shall the decision of the chair stand as the judgment of this Union?"

Sec. 3. Every member, while speaking, shall adhere to the question under debate, avoid all personality and indecorous language, as well as any reflection on the Union or any member thereof.

Sec. 4. Any member, while speaking, being called to order by another, at the request of the Chair, shall cease speaking and be seated until the question of order is determined.

Sec. 5. No member shall speak more than once on the same question until all the mem-

bers wishing to speak have had an opportunity to do so; nor more than twice without the permission of the Chair, nor more than ten minutes at one time.

Sec. 6. All resolutions and motions, other than the first six, in Rule 8, to accept or adopt the report of the committee, shall be reduced to writing before the President shall state the same to the Union.

Sec. 7. Any member may call for the division of a question when the sense will admit of it.

Sec. 8. The following motions shall have precedence in the following order herein arranged: First, to adjourn; second, to close debate; third, to take the previous question; fourth, to lie on the table; fifth, to postpone indefinitely; sixth, to postpone to a definite time; seventh, to refer; eighth, to amend. The first four shall be decided without debate.

Sec. 9. The motion to close debate may be made by two members, and shall be put in this form: "Shall the debate now close?" And, if adopted, the President shall proceed to take the question on the resolutions and amendments thereto, according to priority, without further debate.

Sec. 10. The call for the previous question may be made by six members and shall be put in this form: "Shall the main question be now put?" If adopted, the effect shall be to take the question on the original resolution to the exclusion of all debate and all amendments which have not been adopted.

Sec. 11. All votes other than amendments to the Constitution, By-Laws or Rules of Order

may be considered at the same or next succeeding meeting upon a motion made and seconded by two members who voted in the majority; provided the Union agrees thereto; but after a motion to reconsider has once been lost, it shall not be renewed.

Sec. 12. Every member present shall vote on all questions before the Union unless personally interested. A motion to excuse a member from voting shall be put without debate.

Sec. 13. No member shall enter or leave the Union meeting during the reading of the minutes, admission of new members, installation of officers, or the taking of a question by yeas and nays; and no member shall be allowed to leave the Union meeting without the permission of the presiding officer, under penalty of twenty-five cents fine.

Sec. 14. When a motion has been declared carried or lost by acclamation, any member, before the Union proceeds to other business, may call for a count, but the yeas and nays cannot be called unless demanded before the President rises to put the question.

Sec. 15. The yeas and nays may be called for by two members and upon the assent of one-third of the members present shall be taken.

Sec. 16. A motion to adjourn having been put and lost shall not be in order again, provided there is further business before the Union, until fifteen minutes have elapsed.

Sec. 17. No subject of a political or religious nature shall be at any time admitted, under a penalty of fifty cents fine.

Sec. 18. All business done in the Union shall be strictly secret to all outside the Union.

Sec. 19. (a). All and other proceedings in debate, not herein provided for, to be governed by Roberts' Rules of Order.

(b). One tap of the gavel shall call to order; two taps to be seated; three taps to rise.



INDEX

	Art.	Sec.	Page
Agreements, filing of with General President.....	XII	11 (b)	43
A. F. of L. Convention—Delegates by virtue of office	IV	3 (b)	14
Election of delegates.....	IV	2, 3 (a)	13
Expenses	IV	3 (b)	14
Reports	IV	3 (a)	13
Unit Rule	IV	3 (c)	14
Appeals	XVIII		53
Arbitration, powers of General President, procedure	VI	3	18
Wage scales	XII	11 (d)	44
Assaults upon General Officer or Organizer, trial	IX	4	27
Assessments for emergencies, penalty for failure to pay	X	2	30
Assistance to Local Unions.....	XIII	1	44
From sister locals.....	XIII	2	44
Assistant to General President, appointment....	VI	1 (e)	17
Salary and expenses.....	V	1 (d)	15
Audit of Books, of General Secretary-Treasurer, quarterly audit by Public Accountant.....	VI	9	21
Of International by trustees, semi-annually...	VIII	1	26
Of Local Unions by International	X	12	34
Of Local Unions by Local Trustees	X	10	34
Bond			
Business Representative	X	9 (a)	33
Finance Committee	XI	1 (c)	38
General Secretary-Treasurer	VII	2	22
Local Secretary-Treasurer	X	9 (a)	33
Books, penalty for refusal to return.....	XVIII	7	60
Business Representative, election of.....	XXI	1 (f)	67
Eligibility to office.....	II	4	8
Removal of	XXI	1 (f)	67
Surety bond, penalty for failure to procure...	X	9 (b)	33

	Art.	Sec.	Page
By-laws of Local Unions, approval of.....	VI	5	19
Charges	XVIII		53
Grounds for generally.....	XVIII	5	58
Specific offenses	XVIII	6	59
When not preferred in good faith.....	XVIII	10	63
Charter, application, contract, issuance of.....	VII	3	22
Holding open	XIV	1 (c)	45
Members, who are.....	XIV	1 (a)	45
Revocation by General President or General Secretary-Treasurer	IX	2 (a)	27
Revocation for refusal to obey decision or order of General President.....	VI	2 (b)	17
Suspension or revocation for failure to bond Local Business Representative and Local Secretary-Treasurer	X	9 (b)	33
Constitution, how amended.....	III	8	11
Conventions			
Call by General Secretary-Treasurer.....	III	1	8
Credentials, committee on.....	III	7	11
Preparation and filing of.....	III	6	10
Delegates and alternates, election of.....	III	5	10
Delegates and alternates, expenses of.....	III	4	10
Proxy vote forbidden.....	III	2	9
Quorum, how constituted.....	III	9	12
Representation, basis of.....	III	2	9
Representation, requisites for.....	III	3	9
Resolutions, how proposed.....	III	8	11
Special, how called.....	IX	7	29
When and where held.....	III	1	8
Credentials, appointment of committee.....	III	7	11
Compensation of committee members.....	III	7 (b)	11
Preparation and filing of.....	III	6	10
Sending of by General Secretary-Treasurer...	VII	5	24
Crime, revocation of membership on being found guilty of	XVIII	12	64
Decisions and Penalties.....	XVIII	8	60
Defense Fund, transfer to General Fund.....	X	3	30
Use of	XII	2	39
Dissolution of International, joint council, local unions	XIX	1	65
Dissolution of Local, return of funds, etc., upon	X	15	36
Dues, of local unions, minimum.....	XIV	2 (a)	45
Quarterly payment of.....	X	6 (d)	32
Receipt for	X	6	31
Time for payment of.....	X	6 (c)	32
Executive Officers, expenses of.....	V	1 (f)	15
Finance Committee	XI	1	37
Bond of members.....	XI	1 (c)	38
Limitation on investments.....	XI	1 (a)	37
Reserve to be kept on hand.....	XI	1 (b)	38

	Art.	Sec.	Page
First Vice-President, power to call meeting of General Executive Board.....	IX	5	28
To fill vacancy in office of General President until new appointment by General Executive Board	VI	11	21
Fiscal Year	VIII	2	26
General Executive Board			
Action when not in formal session.....	IX	6	28
Approval of appointments by General President to vacancies.....	VI	1 (a)	16
Approval of assistance from sister locals.....	XIII	2	44
Of employment of clerical help.....	IX	8	29
Of expenses for General President while traveling	V	2	15
Of publication of journal.....	VI	10 (a)	21
Of revocation and suspension of charter....	IX	2	27
Of salaries of special organizers.....	V	1 (g)	15
Assessment for emergencies, power to levy....	X	2	30
Defense fund, power to expend.....	XII	2	39
Transfer of money from, to General Fund...	X	3	30
Finance Committee, appointment of.....	XI	1 (a)	37
General duties and powers.....	IX	1	26
Joint Councils, jurisdiction over.....	XV	1 (b)	46
Approval of decisions of Joint Council.....	XV	4 (a)	47
Meetings	IX	5	28
Meetings of Local, may not require.....	XIV	2 (b)	45
Members, who are.....	IV	1 (a)	12
Mixed Locals, jurisdiction over.....	XVI	1	48
Original jurisdiction in trials, etc.....	XVIII	4	57
Power to bar member of old Local from membership in reorganized Local.....	IX	3	27
Power to expel officer of Local for refusal to turn over books, etc., for audit.....	X	12 (c)	35
Power to fill vacancy in office of General President	VI	11	21
Power to make decision on arbitration.....	VI	3	18
Power to suspend or revoke charter of Local for failure to furnish bond for Local Secretary-Treasurer and Business Representative; approval of bond.....	X	9 (b)	33
Power to suspend or revoke charter of Local for failure to obey decision and order of General President	VI	2 (b)	17
Power to revoke charter of Local for failure to hold meetings	XIV	2 (d)	46
Power to try member assaulting General Officer or Organizer	IX	4	27
Strike benefits, authorization of.....	XII	3	39
Consent of, necessary for strike benefits.....	XII	4	39
Shall determine length of time benefits shall be paid	XII	5	40
Termination of strike; sanction of.....	XII	8	42
General Fund, transfer from Defense Fund to...	X	3	30

	Art.	Sec.	Page
General President			
Arbitration, powers	VI	3	18
Assistant to General President, appointment of	VI	1 (e)	17
Assistants, appointment of General.....	VI	1 (f)	17
Audit of books of General Secretary-Treasurer.....	VI	9	21
Bills, approval	VI	8	20
By-laws of Locals, approval.....	VI	5	19
Call to service by Government.....	VI	1 (d)	17
Charters, power to revoke.....	IX	2 (a)	27
Clerical help, employment of.....	IX	8	29
Convention, preside over.....	VI	1 (a)	16
Deciding vote in case of tie.....	VI	1 (a)	16
Countersign checks	VI	8	20
Credentials Committee, appointment.....	III	7 (a)	11
Member of	III	7 (a)	11
Delegate to A. F. L. Convention.....	IV	3 (b)	14
Delegate to International Convention.....	III	5	10
Election	IV	2	13
Emergency power to conduct trial.....	XVIII	9	62
Expenses, general	V	1 (f)	15
Travel, etc.	V	2	15
Finance Committee, member of.....	XI	1 (a)	37
General duties and powers.....	VI	1	16
General Executive Board, member of.....	IV	1 (a)	12
Power to call meeting of.....	IX	5	28
Power to require action of when not in formal session	IX	6	28
International organizer, removal of.....	VI	7	20
Judicial powers, general.....	VI	2	17
Journal, published under supervision of.....	VI	10	21
Mixed Locals, jurisdiction over separation of..	XVI	1 (b)	48
Salary	V	1 (a)	14
To continue while acting in advisory capacity because of ill health.....	V	1 (b)	14
To continue while engaged in travel, etc....	V	2	15
To continue while in service to U. S.....	VI	1 (d)	17
Special organizers, power to fix salary and expenses of	V	1 (g)	15
Strikes and lockouts, supervision over.....	VI	4	18
Supervision over affairs of International.....	VI	1 (b)	16
Termination of strike, power to declare.....	XII	8	42
Travel, periodic rests, etc.....	V	2	15
Trustee to take charge of Local, power to appoint	VI	6	19
Vacancy among general officers, power to fill..	VI	1 (a)	16
Vacancy in office of, how filled.....	VI	11	21
Wage scales, approval of.....	XII	11	43
General Secretary-Treasurer			
A. F. L. Convention, delegate to.....	IV	3 (b)	14
Arrearages in per capita tax, receipts for.....	X	13	35
Audit of books by International Trustees.....	VIII	1	26
By public accountant.....	VI	9	21
Of Local Unions, power to audit.....	X	12	34
Bond	VII	2	22
Call for convention.....	III	1	8
Charters, issuance of.....	VII	3	22

	Art.	Sec.	Page
Power to revoke.....	IX	2 (a)	27
Clerical help, employment of.....	IX	8	29
Constitutional duties, general.....	VII	10	26
Credentials, issuance of.....	III	6	10
Credentials Committee, member of.....	III	7 (a)	11
Delegate to International Convention.....	III	5	10
Election of	IV	2	13
Expenses	V	1 (f)	15
Payment of International.....	VII	6	24
Finance Committee, member of.....	XI	1 (a)	37
Finances of International, deposit and withdrawal	VII	6	24
Financial reports	VII	4	23
General duties	VII	1	22
General Executive Board, member of.....	IV	1 (a)	12
Power to call meeting of.....	IX	5	28
Local Secretary-Treasurer to furnish reports to	X	8	32
Monthly audits of Locals to be filed with.....	X	10	34
Notification of Locals in arrears for per capita tax	VII	7	25
Password—to be issued quarterly.....	VII	9	25
Payment of initiation fees to be made.....	X	4 (a)	30
Per capita tax to be made.....	X	4 (b)	31
Payrolls, furnishing of.....	XII	7 (a)	41
Receipt for initiation fees and per capita tax..	X	4 (c)	31
Representation at convention, method of determining	VII	5	24
Return of unused strike funds to.....	XII	9	42
Roster, furnishing of.....	VII	4	23
Salary	V	1 (a)	14
To continue while acting in advisory capacity because of ill health.....	V	1 (b)	14
Seals, stamps, supplies, shall furnish same to			
Local Unions desiring them.....	VII	8	25
Strike benefits, payment of.....	XII	7 (a)	41
Weekly reports to.....	XII	7 (d)	42
Initiation Fee, amount.....	X	4 (a)	30
Receipt for by General Secretary-Treasurer....	X	4 (c)	31
Receipt for by Local Secretary-Treasurer.....	X	6	31
Joint Councils, affiliation of Local Unions.....	XV	6	48
Agreements, filing with General President.....	XII	11 (b)	43
Appeals of	XVIII	3	56
By-laws	XV	5	48
Charges against	XVIII	5	58
Dissolution	XIX	1	65
Dues	XV	3	47
Formation	XV	1	46
Judicial powers	XV	4	47
Representation in	XV	2	47
Strikes, action on.....	XII	1 (c)	38
Trials of	XVIII	3	56
Journal, publication, mailing list.....	VI	10	21
Jurisdiction of International.....	II	1	4
Labor Day, observance.....	XX	1	65

	Art.	Sec.	Page
Local Secretary-Treasurer			
Instructions to	XXII	1	67
Method of receipting for dues.....	X	6 (a)	31
Penalty for failure to stamp due book.....	X	6 (b)	32
Reports to be furnished General Secretary-Treasurer, penalty for failure to furnish....	X	8	32
Strike benefits, duty to furnish payrolls and reports	XII	7	41
Surety bond, penalty for failure to obtain....	X	9	33
Local Unions			
Agreements, filing with General President....	XII	11 (b)	43
Appeals of	XVIII	3	56
Arbitration, general provisions as to.....	VI	3	18
Wage scales	XII	11 (d)	44
Assistance to Local Union, general.....	XIII	1	44
From sister Locals.....	XIII	2	44
Audit of books by international, procedure...	X	12	34
By Trustees, monthly; duty to file with General Office	X	10	34
Business representative, election and removal.	XXI	1 (f)	67
Surety bond, penalty for failure to procure..	X	9	33
By-laws, approval of.....	VI	5	19
Instructions for drafting.....	XXI	1	66
Charges against	XVIII	3	56
Conductor, appointment of.....	XXI	1 (d)	66
Deposit of funds.....	X	11	34
Dissolution of	XIX	1	65
Dues, minimum	XIV	2 (a)	45
Quarterly	X	6 (d)	32
Time for payment of.....	X	6 (c)	32
Executive Board, who are members of.....	XXI	1 (b)	66
Expenditures, how to be made.....	X	11	34
Funds, books and property, return of upon revocation or dissolution.....	X	15	36
Joint Council, affiliation with.....	XV	6	48
Mixed Locals	XVI	1	48
Meetings, compulsory except by direction of General Executive Board.....	XIV	2 (b)	45
Loss of benefits for failure to hold.....	XIV	2 (c) (d)	46
Office, eligibility to.....	II	4	8
Officers	XXI	1 (b)	66
Appeals of	XVIII	2	54
Charges against	XVIII	1	53
Election, installation, nomination.....	XXI	1 (e)	66
Removal	XXI	1 (d)	66
Term of office.....	XXI	1 (c)	66
Trials of	XVIII	1	53
Per capita tax.....	X	4 (a)	39
Payment of arrearage.....	X	13	35
Penalty for arrearage in.....	X	14	36
Preferred payment	X	5	31
Refusal to try member, procedure.....	XVIII	11	63
Reorganization, expenses	X	16	36
Revocation of charter, general.....	IX	2 (a)	27
Return of funds, etc.	X	15	36
For failure to obey decision and order of General President	VI	2 (b)	17

	Art.	Sec.	Page
For failure to bond officers.....	X	9 (b)	33
Rules of order.....	XXIII	1-19	70
Seals, stamps, supplies; how ordered.....	X	7	32
Purchase of	VII	8 (a)	25
Reproduction prohibited	VII	8 (b)	25
Strike action	XII	1	38
Funds; unused funds to be returned.....	XII	9	42
Requirements for payments.....	XII	6	40
Suspension: for failure to pay assessment.....	X	2	30
To return funds, etc.....	X	15	36
Loss of privileges.....	IX	2 (b)	27
For failure to bond officers.....	X	9 (b)	33
For failure to obey decision or order of General President	VI	2 (b)	17
Transfer card, duty to accept.....	XVII	1	49
Trials of	XVIII	3	56
Trustees, election, term of office.....	XXI	1 (g)	67
Trusteeship of Local, under appointment of General President.....	VI	6	19
Wage scales, procedure for approval.....	XII	11 (a)	43
Warden, appointment of.....	XXI	1 (d)	66
Withdrawal card, when local must refuse ac- ceptance	XVII	4 (e)	52
Jurisdiction to grant.....	XVII	5	53
Lockout, see Strikes and Lockouts			
Defined	XII	10	42
Meetings of Local Unions, loss of benefits for failure to hold.....	XIV	2	45
Members			
Appeals of	XVIII	2	54
Charges against	XVIII	1	53
Power of General Executive Board to debar from in reorganized Local.....	IX	3	27
Revocation of, upon being found guilty of crime	XVIII	12	64
Trial of	XVIII	1	53
Membership, eligibility in general.....	II	2 (a)	4
Owner of vehicle, eligibility to membership...	II	2 (b)	5
Eligibility to hold office and vote.....	II	2 (g)	6
Rejection of applicant.....	II	2 (c)	5
When owner of more than one vehicle eligible	II	2 (f)	6
Vender and owner-equipment driver, contracts of	II	2 (e)	6
Vender and owner-equipment driver, defined..	II	2 (d)	5
Mixed Locals, formation of.....	XVI	1 (a)	48
Procedure for separation of.....	XVI	1 (b)	48
Name of International.....	I	1	3
Objects of International.....	I	2	3
Offenses, against International jurisdiction to try.	XVIII	4	57
General	XVIII	5	58
Refusal to return books, etc.....	XVIII	7	60
Specific	XVIII	6	59
Office, eligibility to in International and Locals.	II	4	8

	Art.	Sec.	Page
Officers of International, appeals.....	XVIII	3	56
Election of	IV	2	13
Charges	XVIII	3	56
Geographical distribution of.....	IV	1 (c)	12
Requirements for eligibility.....	II	4	8
Salaries and expenses.....	V	1	14
Trials	XVIII	3	56
Vacancies, how filled.....	VI	1 (a)	16
Vacancy in office of General President, how filled	VI	11	21
Who are	IV	1 (a)	12
Organizers, Special, salary and expenses.....	V	1 (g)	15
Organizers, International, salary.....	V	1 (e)	15
Appeals	XVIII	3	56
Charges	XVIII	3	56
Expenses	V	1 (f)	15
Removal	VI	7	20
Trials	XVIII	3	56
Owner of Vehicle (see Membership).....	II	2	5
Owner-Equipment Driver (see Membership)....	II	2	5
Password	VII	9	25
Penalties and Decisions.....	XVIII	8	60
Per Capita Tax, amount.....	X	4 (b)	31
Arrearage, receipt for.....	X	13	35
Penalty for	X	14	36
Monthly due stamp.....	X	1	29
Preferred payment of.....	X	5	31
Receipts for by General Secretary-Treasurer...	X	4 (c)	31
By Local Secretary-Treasurer.....	X	6	31
Reinstatement fees to be figured as per capita tax	X	4 (c)	31
Time for payment of.....	X	4 (b)	31
Quorum, how constituted at convention.....	III	9	12
Reinstatement Fee	X	4	31
Remedies, exhaustion of.....	XVIII	13	65
Reorganization of Local, expenses.....	X	16	36
Power of General Executive Board to bar member of old Local.....	IX	3	27
Resolutions, how submitted to convention.....	III	8 (a)	11
Revenue of International, in general.....	X	1	29
Revocation of Charter.....	VIII	2 (a)	27
Failure to bond business representative and Local Secretary-Treasurer	X	9 (b)	33
Failure to observe decisions and orders of General President	VI	2 (b)	17
Return of books, etc., upon.....	X	15	36
Revocation of membership on being found guilty of Crime	XVIII	12	64
Rules of order for Local Unions.....	XXIII	1-19	70

Salaries and expenses of International Officers			
Determined by Convention.....	V	1 (h)	15
General President, expenses.....	V	1 (f)	15
Salary	V	1 (a)	14
Salary to continue while acting in advisory capacity because of ill health.....	V	1 (b)	14
Salary to continue while engaged in travel..	V	2	15
Salary to continue while in service of United States	VI	1 (d)	17
General Secretary-Treasurer			
Expenses	V	1 (f)	15
Salary	V	1 (a)	14
Salary to continue while acting in advisory capacity because of ill health.....	V	1 (b)	14
Organizers, International			
Expenses	V	1 (f)	15
Salary	V	1 (e)	15
Special Organizers			
Salary and expenses.....	V	1 (g)	15
Trustees			
Expenses	V	1 (f)	15
Salary	V	1 (c)	14
Vice-Presidents			
Expenses	V	1 (f)	15
Salary	V	1 (c)	14
Seals, Stamps, Supplies.....	VII	8 (a)	25
How ordered	X	7	32
Duplication of forbidden.....	VII	8 (b)	25
Special Convention, how called.....	IX	7	29
Strikes and Lockouts			
Action by Local Union.....	XII	1	38
Appointment of Local Committee.....	XII	1 (a)	38
Notification of Joint Council and General President	XII	1 (c)	38
Secret ballot on strike.....	XII	1 (b)	38
Benefits, amount	XII	5	40
Approval of payment by General Executive Board	XII	3	39
Consent of General Executive Board to strike necessary	XII	4	39
Requirements for payment of.....	XII	6	40
Defense Fund	XII	2	39
Lockout, defined	XII	10	42
Return of unused strike funds.....	XII	9	42
Supervision over by General President.....	VI	4	18
Termination of strike, power of General President to declare.....	XII	8	42
Subversive Elements, barred from membership...	II	3 (a)	7
Expulsion of, appeal.....	II	3 (b)	7
Power of General President to take jurisdiction upon failure of Local to act; appeal.....	II	3 (c)	7
Suspension of Charter.....	VIII	2 (b)	27
Arrearage in per capita tax.....	X	14	36
Failure to bond business representative and Local Secretary-Treasurer	X	9 (b)	33

	Art.	Sec.	Page
Failure to pay special assessments.....	X	2	30
Failure to observe decisions or order of General President	VI	2 (b)	17
Transfer Card	XVII	2	50
Acceptance of	XVII	1	49
Deposit of	XVII	3	51
Trials	XVIII		53
Emergency powers in General President.....	XVIII	9	62
Original jurisdiction in General Executive Board	XVIII	4	57
Trustees of International, duties	VIII	1	26
Election of	IV	2	13
Expenses	V	1 (f)	15
Members of General Executive Board.....	IV	1 (a)	12
Salary	V	1 (c)	14
Trusteeship over Local Unions	VI	6	19
Appointment of Trustee by General President.....	VI	6 (a)	19
Duties of suspended officers.....	VI	6 (c)	19
Duties of temporary officers and trustees.....	VI	6 (d)	19
Duties of Trustee.....	VI	6 (e)	20
Powers of Trustee.....	VI	6 (b)	19
Vacancy in International Office, how filled	VI	1 (a)	16
In office of General President, how filled.....	VI	11	21
Vender (see Membership)	II	2	5
Vice-Presidents, designation of	IV	1 (b)	12
Election of	IV	2	13
Expenses of	V	1 (f)	15
Members of General Executive Board.....	IV	1 (a)	12
Salaries of	V	1 (c)	14
Wage Scales	XII	11	43
Approval by General President and Joint Council	XII	11 (a)	43
Endorsement by General President and presentation to employer.....	XII	11 (d)	44
Filing of final agreements with General President	XII	11 (b)	43
Negotiation or arbitration, necessity for.....	XII	11 (d)	44
Non-liability of International or officers as result of approval.....	XII	11 (c)	43
Withdrawal Card	XVII	4	52
Conditions for issuance.....	XVII	4 (c)	52
Deposit of	XVII	4 (d)	52
Jurisdiction to grant.....	XVII	5	53
Readmission on	XVII	4 (b)	52
Renewal of	XVII	4 (d)	52
When Local must refuse to accept.....	XVII	4 (e)	52



